

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

**Crl. Misc. No. M-33197 of 2018
Date of Decision: September 10, 2019**

Rajesh @ Kalu

.....PETITIONER

VERSUS

State of Punjab and others

.....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Dhawaljeet Dutta, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

SURINDER GUPTA, J.(Oral)

As per allegations in the FIR, which was registered on the supplementary statement of Rajesh son of Darbari Lal, complainant had earlier on 31.05.2018 he had given statement that his wife was not having good character. On that day, she had gone to the house of her cousin Ritu wife of Vicky with her friend Rakesh @ Sunna son of Balkishan. Ritu was also annoyed with his wife. When wife of complainant along with Rakesh @ Sunna went inside the room in house of Ritu, she locked the outer door of her house and came to work place of complainant and intimated him about presence of his wife with Rakesh in her house. Both went to the house of Ritu and knocked at the door, which was not opened. In the meanwhile, husband of Ritu also came there. They found smoke coming out of the room in which Rakesh @ Sunna and wife of complainant had gone. When they kept on knocking at the door, Rakesh @ Sunna came out

and ran away and they found that wife of complainant had been fully burnt and she had died.

Earlier the complainant had made statement that his wife had committed suicide out to her shameful conduct but later on he came to know that Rakesh had taken loan from his wife, who was asking for return of the same. In order to get rid of her, he killed her by putting her on fire.

Learned counsel for the petitioner submits that accused Rakesh has absconded and the police could not trace him despite conducting several raids and now he has been declared as proclaimed offender. The incident had taken place in the house of Ritu but police has not arrested her so far.

Learned State counsel submits that complainant has not levelled any allegations against Ritu. However, if any complicity of Ritu is found, same will be looked into while presenting the final report. The petitioner, if wants to come up with another version, he can represent to the police or avail the other remedies available to him.

In view of submission of learned State counsel, this petition is disposed of with liberty to the petitioner to represent to the police regarding the role of Ritu in the incident or to avail other legal remedies available to him.

September 10, 2019
Jyoti-II/Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No