

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-21603-2019 (O&M)
Date of Decision:-28.8.2019

Rakesh Sehdev ... Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Veneet Sharma, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab,
assisted by ASI Anil Kumar.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.063 dated 19.4.2019 at Police Station Gate Hakima, Amritsar City, District Amritsar under Sections 306 and 34 of Indian Penal Code.
2. Mr. Varinder Kumar Sandhir, Advocate has today put in appearance on behalf of the complainant and has filed *Vakalatnama*, which is taken on record.
3. The FIR was registered at the instance of Sandeep Kumar, wherein it has been alleged that his sister Anuradha was married to Anmol Sehdev about 13 years back. It is alleged that on 18.4.2019 at about 7 P.M. his sister made a telephonic call and told him that uncle (*chacha*) of her husband i.e. Rakesh Sehdev had told her husband Anmol Sehdev that she was having an affair

with somebody else. The complainant's sister is stated to have asked the complainant and the entire family to visit her at her in-laws' place and accordingly the complainant and other members of his family went there and also confronted Rakesh Sehdev (petitioner), who asked them to come on the next day and that he would furnish the requisite information. It is alleged that on the next day when they again went up to Rakesh Sehdev, he disclosed that he was told about the said information regarding Anuradha by Komal wife of Sushil Kumar. It is further alleged by the complainant that after making the aforesaid inquiry they returned back to their home but on the next day they came to know that complainant's sister Anuradha had committed suicide by hanging herself with the help of a '*dupatta*'.

4. The learned counsel for the petitioner has submitted that the petitioner has been nominated as an accused on the basis of vague allegations and that, in any case, even if, the allegations are taken to be correct, it cannot be said that the same are sufficient to constitute an offence of abetment to commit suicide. It has further been submitted that even as per the FIR, it is one Komal, who had floated the alleged rumours and that in these circumstances, the petitioner cannot be attributed with any intention to have abetted the commission of suicide by Anuradha.
5. Opposing the petition, the learned State counsel assisted by the counsel for the complainant, has submitted that since the petitioner was instrumental in spreading information regarding the alleged affair of Anuradha, which was infact absolutely false and which led to commission of suicide by Anuradha, no case for grant of anticipatory bail is made out. The learned State counsel has, however, informed that the petitioner has since joined investigation, which has been concluded and the challan has already been filed.

6. Having regard to the facts and circumstances of the case and without making any expression on merits of the case and while noticing that investigation has already been concluded and challan has been filed, in my opinion, the present case is not such, which would warrant custodial interrogation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 13.5.2019 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
7. The present petition stands accepted accordingly.

28.8.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No