

PIL 137/2015

BEFORE

HON'BLE MR. JUSTICE HRISHIKESH ROY

HON'BLE MR. JUSTICE L.S. JAMIR

In this taken up matter, Mr. T.J. Mahanta, the learned Senior appears as an Amicus Curiae.

Receiving a letter from an anguished mother on the death of her son (Tushar Yadav) in mysterious circumstances, this Suo Moto PIL was registered. The victim was pursuing a B.Tech Course in the Guwahati IIT and was residing in the IIT hostel. His dead body was found on the night of 13.9.2014 and accordingly the Jalukbari P.S. Case No.710/2014 was registered under Section 120B/302 of IPC. The parents were unhappy with the investigation of the case and therefore the mother wrote a letter on 18.11.2015 to the Chief Justice for ensuring competent investigation and this led to the registration of the PIL(Suo-Moto) No.137/2015.

The CID took over the case investigation and the Court was kept informed of the steps taken by them to unearth the circumstances of the unnatural death of the bright student. In this way, the Court kept a close vigil on the steps, with the assistance of the Amicus Curiae.

When all angles were investigated, the CID concluded that death of Tushar Yadav is suicidal (not homicidal) and accordingly the Final Report (F.R.) under Section 173 of the Cr.P.C was filed on 24.8.2016. This report of the I.O. is enclosed with the counter affidavit filed by the S.P. on 3.10.2016.

We have perused the Closure Report and have also heard the learned Amicus Curiae and the learned Government Advocate. The I.O's Report discloses the efforts made by the police to unearth the truth, by examination of all witnesses and also evaluation of the forensic test results. But no criminal intent or act could be connected, with the unfortunate death of the victim Tushar Yadav. The police also found that the victim was suffering mental depression on account of illness and pressure of studies in the IIT. Thus it was concluded from the available material that death was suicidal. Thus the Closure Report was filed in the North Guwahati Police Station Case No.45/2015 since the death case after it was initially registered with the Jalukbari Police Station, was transferred to the jurisdictional police station.

We have considered all relevant particulars and heard the Counsel. According to our understanding, the police have conducted the investigation on the circumstances of the death in a professional manner and have left no clue, unattended. Therefore, no infirmity is found to disregard F.R. filed by the Investigating Officer. Thus we order closure of the PIL by accepting the F.R. in the North Guwahati Police Station Case No.45/2015. The case is ordered accordingly.