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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 983/2014

K D SHARMA

..... Petitioner

Through Mr. Ranjan Roy, Proxy Counsel with
petitioner in person.

versus

COMMISSIONER OF POLICE

..... Respondent

Through Mr. Raghav Sabharwal, Proxy
Counsel

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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12.05.2015

It emerges from the record that one Ms. Ganga Pahilaj (deceased) died on 6th December, 1992. On the complaint of her son Shri Parkash Pahilaj, FIR No. 389/1992 under Section 460 IPC was registered at Police Station Greater Kailash, New Delhi on 6th December, 1992. However, local police could not make any headway in the matter during the investigation. Accordingly, case was transferred to Crime Branch, pursuant to the order no. 17694-97/SO/DCP/C&R dated 30th December, 1992 of Commissioner of Police, Delhi. Investigation was thereafter done by the Anti-Kidnapping Section (AKS) of Crime Branch. However, accused could not be identified and the case remained untraced and as per the respondent, a final report in this regard was filed in the concerned court.

After about 22 years petitioner, who is not related to the deceased, has filed this petition for investigation by the CBI.

Late Ms. Ganga Pahilaj has left behind three children, namely, Mr. Parkash Pahilaj, Mr. Kumar Pahilaj and Ms. Renu Pahilaj. Ms. Renu Pahilaj is the eldest in the family and is stated to be 40 years of age. Mr. Kumar Pahilaj is 35 years of age and Mr. Parkash Pahilaj is 37 years of age. None of the family members expressed any dissatisfaction about the investigations carried out by the Crime Branch.

This writ petition appears to have been filed by the petitioner with certain motives and that too after some disputes with the daughter of deceased. During the course of hearing petitioner has admitted that he has filed a petition before the Metropolitan Magistrate against Ms. Renu Pahilaj alleging therein that Ms. Renu Pahilaj had forged the Will of the deceased, thus, action be taken against her.

In the above facts, I do not find any justification to order for investigation by the CBI at the instance of petitioner.

Writ petition is dismissed.

A.K. PATHAK, J.

MAY 12, 2015/rb