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

+ W.P.(CRL) 2564/2016 & Crl.M.A.13575/2016

GANESAN

..... Petitioner

Through: Mr.Anis Mohd., Adv.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Ripu Daman Bhardwaj, CGSC.
Mr.Rajesh Mahajan, ASC.
Insp.Kumar Kundan, DIU, South
District.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **06.07.2017**

The present writ petition has been filed by the father of the deceased seeking the following prayers:-

- i. *To monitor and supervise the probe and direct the respondents to submit the report and status of investigation periodically to this Hon'ble Court;*
- ii. *To direct the probe to be conducted by a specialized agency or any such investigating agency submitted by this Hon'ble Court;*
- iii. *Issue a Writ of Mandamus directing the respondent to hand over the copies of the FIR, post mortem to the petitioner;*
- iv. *Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case be also passed to meet the ends of justice."*

The son of the petitioner was found dead in his apartment. No case was initially lodged for the reason that there was no clue as to the cause of death of the deceased. The deceased was pursuing his M.D course in All India Medical Sciences.

After the filing of the present writ petition, FIR No.724/2016 (P.S.Hari Nagar) against unknown has been lodged.

It appears from the records of this case which includes the status report also that all possible line of investigation has been taken by the police. The deceased apparently died because of presence of potassium chloride in his blood stream. There is no definite evidence, as of now, as to who could have administered the aforesaid poisonous substance in the blood stream of the petitioner. The post mortem report does not reveal any abrasion or injury on the body of the deceased. All that was discerned in the process was that the poisonous substance was administered through cannula through which a liquid substance is administered intravenous in the human body.

After preserving the viscera, the same has been sent for chemical examination. Though the chemical examination report of the viscera has not yet been received, but Mr.Rajesh Mahajan, learned Additional Standing Counsel submits that no sooner would it come to the police, a copy of the same shall be handed over to the learned counsel for the petitioner.

It is expected that the police shall investigate the aforesaid case properly and would bring the same to a logical conclusion. There is no need to supervise or monitor the investigation of this case as there is no allegation against the local police of any dereliction of the duty. However, should the petitioner ever find that the investigation is not being undertaken in the right

earnest, it would be open for the petitioner to approach this Court again for necessary directions.

Since the matter is now being investigated by the police, there does not appear to be any necessity of keeping the present petition pending.

The petition is disposed of with the aforesaid observations and with the expectation that the investigation shall be carried out in right spirit and a logical conclusion would be arrived at.

ASHUTOSH KUMAR, J

JULY 06, 2017

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