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

+ W.P.(CRL) 2819/2016

RAJESH KUMAR Petitioner

Through: Mr. Sumit Gaba, Adv.

versus

STATE & ANR Respondents

Through: Mr. Sanjay Lao, ASC for Mr. Avi Singh, ASC (Crl.) with Ms. Megha Bahal, Adv.
Insp. Virender Kumar, Crime Branch.
Mr. Praveen Kumar Jain, Adv. with
Mr. Naveen Kumar Jain, Adv. for
R-2/UOI.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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18.05.2017

The investigation presently underway with crime branch of Delhi Police arises out of First Information Report (FIR) No.98/2013 dated 17.05.2013 of Police Station Prasad Nagar registered for offence punishable under Section 365 of the Indian Penal Code, 1860 (IPC). Mrs. Tula Devi, the mother of the first informant, petitioner Raj Kumar, went missing. He suspects his own brother, another son of the missing woman, to be behind this incident, with the complicity of certain others including the maidservant and her husband. The court had earlier called for status report upon consideration of which the matter, by order dated 08.02.2017, has come up for hearing today. Fresh updated status report has been submitted. The same has been perused.

This court is satisfied that the investigating agency is taking all requisite steps to trace the missing person and also find evidence, in support

of the allegations that she was abducted. The status report further indicates that the investigation is being monitored also by the court of Chief Metropolitan Magistrate (CMM) of Central District at Tis Hazari Courts. The counsel for the petitioner himself submitted such monitoring is being done at his instance on his application. The investigating agency has been submitting status reports as called for from time to time by the court of CMM, Central. It would be proper and in the fitness of things that the further monitoring of the progress of investigation and giving necessary guidelines or directions, in accordance with law, is left to the CMM, Central at Tis Hazari Court.

The petitioner may continue assisting the said court in endeavour not only to trace the missing person but also to gather evidence about the crime(s) that may be involved. In the event of the police submitting a report under Section 173 Cr.P.C., the petitioner will be entitled to a notice and for being heard by way of petition, if he is so advised at that stage.

With these directions, these proceedings are closed.

R.K.GAUBA, J.

MAY 18, 2017
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