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

+ W.P.(CRL) 1483/2017

BRAHAM

..... Petitioner

Through Mr.Sahil Mongia, Adv.

versus

THE STATE (NCT OF DELHI) & ORS.

..... Respondents

Through Mr.Ashish Aggarwal, ASC.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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21.09.2017

The son of the petitioner had left the house along with his neighbour on 21.12.2016. Later, on 22.12.2016, his dead body was found lying near Railway Tracks at Subzi Mandi police station. The head of the deceased was found to be completely crushed and the body appeared to have been eaten away by wild animals. The local police i.e. Subzi Mandi Railway police station was informed vide DD No.8A. An inquiry was conducted in which report was submitted that it was a train accident case.

The petitioner, who is the father of the deceased, had submitted before the local police many evidences suggesting that it was not a railway track accident but a pre-planned murder. There has been no investigation on the lines of the evidence suggested by the petitioner.

As such, the present petition has been filed seeking transfer of the investigation of the aforesaid case to the crime branch of Delhi police.

Mr.Ashish Aggarwal, Additional Standing Counsel submits that from

the investigation made by Subzi Mandi police station, no other clue could be found except for the materials on which conclusion was derived that it was an accident on the railway tracks.

From the statements of Amit Yadav, Subhash Yadav and Kundan which have been recorded by the police, it appears that it could be a case of murder. Similar is the statement of Sukhvinder Singh. The photographs appended with the present writ petition also make it very obvious that the dead body would not be eaten by wild animals in one day, if the death had been caused near the tracks.

Considering the aforesaid, it be expedient that if the matter be investigated by the crime branch of Delhi Police which has sufficient wherewithal to come to a right conclusion.

The prayer of the petitioner in the present petition is allowed.

The DD No.8A which was being investigated by the Subzi Mandi Railway police station is directed to be transferred to Crime Branch of Delhi Police.

The necessary formalities in that regard shall be complied with by the respondents and the investigation shall be taken up by the crime branch in right earnest. Since it is a case of death of a young person, this Court hopes and trusts that the investigation shall be taken to a logical conclusion as expeditiously as possible.

The petition is accordingly allowed and disposed of.

ASHUTOSH KUMAR, J

SEPTEMBER 21, 2017/ab