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

+ W.P.(CRL) 162/2017

RAJ KUMAR

..... Petitioner

Through: Mr. Krishan N. Rana, Adv. with
petitioner in person.

versus

STATE & ORS

..... Respondents

Through: Mr. Sanjay Lao, ASC with Mr.
Siddharth Sindh, Adv.
Insp. Videsh Singhal, DIU/East.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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11.04.2017

Status report filed.

The learned counsel for the petitioner and Additional Standing Counsel for State have been heard and with the assistance of the latter, the case diary of the investigation has been perused.

The dead body of Sunita, the sister of the petitioner was statedly found lying near rail track in the area of Preet Vihar on 15.04.2016. It appears that she had been married to Rohit Malik on 30.01.2016. The police had registered FIR No. 125/2016 for offences under Sections 498A/304B/34 IPC on the statement of the petitioner on 15.04.2016 itself. The petitioner suspects that his sister was intentionally killed and therefore, it being a case for culpable homicide.

The learned Additional Standing Counsel fairly concedes that this angle may also be investigated inasmuch as the dead body was found in

mutilated condition, not on the railway track, but at some distance from there.

The other grievance of the petitioner is that SI Shikhar Chaudhary who was IO at the initial stages, at some stage had observed in the inquest paper that it was a case of railway accident. It was argued that this was the observation recorded in the inquest paper. For his satisfaction, it needs to be mentioned that the inquest paper was prepared not by SI Shikhar Chaudhary but by ASI Suresh Chand, the cause of death indicated therein to be possibly a case of rail accident. Be that as it may, the petitioner's grievance is that SI Shikhar Chaudhary is now posted as Staff Officer to the DCP of the concerned district.

The competent authorities in Delhi police have transferred the investigation of the case from the local police to District Investigation Unit, of East district. The learned Additional Standing Counsel assures that the investigation would be monitored by the DCP himself and since SI Shikhar Chaudhary has no connection with district investigation unit, the apprehensions of the petitioner are misplaced.

With the above explanations and assurances held out, no further directions at this stage are called for. It is hoped that the District Investigation Unit, properly supervised by the DCP of the district, shall carry out a fair investigation, also from the perspective of culpable homicide and take the matter to the logical conclusion at an early stage.

The petition is disposed of with these observations.

R.K.GAUBA, J

APRIL 11, 2017/nk

W.P.(CRL) 162/2017

page 2 of 2