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

+ **W.P.(CRL) 619/2017**

KANISH RAAJ GAMBHIR

..... Petitioner

Represented by: Mr. Divyansh Kishore Sharma,
Advocate.

versus

STATE OF NCT OF DELHI & ANR

..... Respondent

Represented by: Mr. Ashish Aggarwal, ASC
and Mr. Piyush Singhal,
Advocate with SI Rajiv Singh,
PS Mehrauli.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

11.01.2018

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By this petition, the petitioner had sought transfer of the investigation from PS Mehrauli to independent investigating agency DIU.

Status report has been filed. As per the status report charge sheet has already been filed in case FIR No. 117/2017.

The grievance of the petitioner is that Sections 307 and 324 IPC have not been invoked by the investigating agency despite oral request of the victim.

It would be for the Court concerned to ascertain at the stage of framing of charge on examining the charge sheet and considering the statements of the witnesses regarding the offences made out. Thus merely some provisions of the IPC having not been invoked in the charge sheet would not make out a case for transferring of the investigation to any

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independent agency for further investigation or returning a finding that the same is not in accordance with law, also for the reason it is not the case that statements of the witnesses have not been recorded properly.

This Court finds no merits in the petition.

Petition is dismissed.

MUKTA GUPTA, J.

JANUARY 11, 2018
‘yo’