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

+ **W.P.(CRL) 2431/2018**

NAZMEEM KHAN

..... Petitioner

Through: Mr. Asad Alvi and Ms. Saba Alvi,
Advts. along with petitioner in person.

versus

GOVT. OF NCT AND ORS.

..... Respondents

Through: Mr. Rahul Mehra, Standing Counsel
(Crl.) with Mr. Chaitanya Gosain,
Advocate.

SI Nassu Ahmed with Insp. Upender
Singh, SHO Jamia Nagar, Delhi.

Mohd. Azharuddin and Mr. Dev
Karan, Advts. for R2 to R4.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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16.04.2019

Crl.M.A. 6977/2019 (for directions to R2 to R4 for death certificate of late Rizwan Khan)

1. The present application has been filed by the petitioner/applicant in a decided case for issuing directions to her in-laws to provide her the death certificate of her husband on the ground that she had deposited Rs.50,000/- in a Fixed Deposit (FD) in the name of her 8 year old elder daughter, Falak in Oriental Bank of Commerce, and the same has matured. It is averred that the petitioner wants to renew the said

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FD on maturity but the Bank has sought the death certificate of the father. It is further stated by the applicant that her husband had purchased an Insurance Policy making the elder daughter, Falak as the beneficiary and a death certificate is required for claiming the maturity amount.

2. We may note here that the applicant is facing trial in the case of the murder of her husband, Rizwan Khan, at Aligarh.
3. On the last date of hearing, Mr. Mehra, learned Standing Counsel (Crl.) was directed to verify as to whether a death certificate had already been issued in respect of late Rizwan Khan. A Status Report has been filed wherein it is stated that the respondent No.4 (father-in-law of the girl) was contacted and he was called upon to produce the death certificate but he has refused to cooperate or give any details.
4. Mr. Mohd. Azharuddin, Advocate enters appearance for the respondent No.2 to 4 and states that after the death of Rizwan Khan, the petitioner has already sold one of his immovable properties and retained the entire sale proceeds and the sole purpose of obtaining the death certificate is to sell his remaining properties, behind the back of his aged parents. He states that if the Bank or the Insurance Company desire a death certificate, as is claimed by the petitioner, then at their request, the same shall be directly furnished by the respondents to the concerned authorities.
5. In view of the statement made hereinabove, no further orders are required to be passed.

6. The application is disposed of.

HIMA KOHLI, J.

VINOD GOEL, J.

APRIL 16, 2019

“shailendra/sdp”