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

+ W.P.(CRL) 2821/2018

DILIP KUMAR SHAH Petitioner

Through: Mr.Raju Sonkar, Advocate

versus

UNION OF INDIA & ORS. Respondents

Through: Mr.Ajay Digpaul, CGSC with
Mr.Vikrant Nilesh Goyal, Advocate
for R-1/UOI.

Mr.Chaitanya Gosain, Advocate for
Mr.Rahul Mehra, Standing Counsel
(Crl.) for State

SI Vikas Malik, ASI Arvind Kumar,
PS-Burari

Mr.Ashutosh Ghade, Advocate with
Mr.Nikhil Goel, Advocate for CBI

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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08.10.2018

The petitioner has preferred the present petition to seek a writ of habeas corpus for production of his father. The case of the petitioner is that his father went missing on 21.06.2016. The petitioner claims that on the said date his father reached Rishikesh, Uttarakhand and met one Dr.Annand who is the caretaker of the house of the father of the petitioner. He states that he and the said Dr.Annand handed over the keys of House No.2154 (Khasra No.141/13), Ground Floor, GNO-60, B-Block, Hanuman Kunj, Sant Nagar, Burari, Delhi to his father whereafter his father went to the said house and

further went to another house bearing No. 5, Gali No.1, A-1 Block, Bengali Colony, Delhi to give money to his nephew (*bhanja*) - the suspect involved in the disappearance of his father. He claims that since then his father has been missing.

A perusal of the petition shows that the petitioner has already got two FIRs registered vide FIR No.97/2017 dated 05.06.2017, under Sections 363/120 B/34 IPC at Police Station-Brahmpura, District Muzzaffarpur, Bihar. Another FIR has been got registered by the petitioner being FIR No.881/2017, under Sections 365/368/34 IPC at Police Station-Bhakti Nagar, West Bengal on 18.09.2017. The petitioner also preferred petition under Section 156 (3) Cr.P.C before the CMM in Delhi vide case No.541310/2016. Despite repeated opportunities the petitioner did not appear before the learned MM and consequently, the said application was dismissed for want of prosecution on 21.02.2017.

A status report has been tendered in Court on behalf of the State and taken on record. A perusal of the status report shows that the CDR of the petitioner's father has been obtained which shows that on 21.06.2016 his father was in West U.P. area and thereafter proceeded from East U.P. area from 23.06.2016 to 17.07.2016. In these circumstances, no further orders are called for in the present petition since the petitioner has already availed of several legal remedies.

Dismissed.

VIPIN SANGHI, J

I.S.MEHTA, J

OCTOBER 08, 2018/sr