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

+ **W.P.(CRL) 3215/2018**

JAGDISH CHAND

..... Petitioner

Through: Mr. Rohit Panwar, Advocate.

Versus

COMMISSIONER OF POLICE & ORS.

..... Respondents

Through: Ms. Kamna Vohra, Additional Standing
Counsel for State with Ms.Pooja Malhotra
and SI Pradeep Kumar, P.S. Neb Sarai.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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19.11.2018

Crl. M.A. No.47605/2018 (for exemption)

Allowed, subject to all just exceptions.

The application stands disposed-off.

Crl. M.A. No.47604/2018 (for restoration)

For the reasons mentioned in the application, the petition is restored to its original number.

The application stands disposed-off

W.P.(CRL) 3215/2018

The petitioner is aggrieved by what he considers as gross negligence inaction by the Investigating Officer in his complaint apropos the unnatural demise of his daughter on 04.08.2017. He was constrained to initiate proceedings under section 156(3) Cr.P.C. and it is only upon directions in the said petition on 17.04.2018 that an FIR No. 0162/2018 under section 306

IPC was registered at Police Station Neb Sarai. According to the petitioner, thus far, no worthwhile investigation has been carried out by the Investigating Officer. He seeks that the matter be transferred to the District Investigating Unit (DIU).

Ms. Rao, the learned counsel for the State submits upon instructions from the Investigating Officer that some person was in touch with the deceased 4-5 months prior to her demise and that the Investigating Officer has extracted the Call Detail Records (CDRs) of their conversation and the same is being looked into. However, she assures the Court that the matter will be looked into in right earnest.

The Court is of the view that the matter ought to have been looked into with all seriousness since it concerns the unnatural demise of a young citizen, almost a year ago; that the registration of the FIR on 17.04.2018 and the recovery of the aforesaid information would not be deemed to be sufficient or adequate progress.

In the circumstances, the case is directed to be investigated by the DIU concerned. Accordingly, investigations apropos FIR No. 0162/2018 under section 306 IPC, registered at Police Station Neb Sarai, shall stand transferred to the said Unit.

The petition stands disposed-off in terms of the above.

NAJMI WAZIRI, J.

NOVEMBER 19, 2018

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