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

+ **W.P.(CRL) 2731/2017**

BALJEET SINGH DAGAR

... Petitioner

Represented by: Mr.Nitender Sharma, Advocate

versus

THE STATE NCT OF DELHI & ORS

.... Respondents

Represented by: Ms.Srilina Roy, proxy counsel
for Ms.Nandita Rao, ASC
SI Sunder Singh PS Baba
Haridas Nagar

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.01.2018

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By this petition the petitioner inter-alia seeks protection to his life and transfer of case FIR No.149/2017 under Sections 365/323/34 IPC registered at PS Baba Haridas Nagar to some other agency.

On a notice being issued a Status Report has been filed by the State. As per the Status Report on 5th August, 2017 DD No.13A was received at PS Baba Haridas Nagar informing '*RZ-26A Gopal Nagar, Jhagda*' and the same was marked to ASI Ramesh Kumar. On inquiry it was revealed that the quarrel if any, was two days' old and pertained to PS Najafgarh, New Delhi. Hence, no action was taken and the call was filed.

Later on, Jagwanti, wife of Baljit Singh arrived at the Police Station

Baba Haridas Nagar and informed that her husband had been beaten. The statement of Baljit Singh, husband of Jagwanti was recorded. Baljit Singh stated that on 3rd August, 2017 while he was coming from Anand Vihar in his car and reached at Khira Mor, Najafgarh, Ravinder @ Tinku and Satpal @ Sonu along with one more boy of their age whom he can identify when shown to him, came from behind, stopped his car forcibly and broke the side glass of his car. It was alleged that all three of them brutally beat him and pushed him on the back seat of the car. It was stated that Ravinder @ Tinku and Satpal @ Sonu were the brother-in-law of his elder son namely Harish. Baljit Singh further alleged that they took him to village Chuliana, Distt. Rohtak, Haryana after kidnapping and compelled him to drink wine and had beaten him brutally. His son Harish also met him there, forced him to sign on some papers and took out cash amount of ₹83,000/- and mobile phone from him. Thereafter, Harish took him to a private hospital at Rohtak and got him treated but no MLC was prepared. Next day i.e. on 4th August, 2017 Harish took Baljit to Najafgarh where daughters of Baljit came to meet him. They took him to Gopal Nagar, Najafgarh and MLC was prepared and treatment was given to him. It is on these facts that FIR No.149/2017 under Sections 365/323/34 IPC was registered.

During the course of investigation Harish, son of the complainant and Satpal @ Sonu were arrested on 19th August, 2017 whereas Sheo Ram, the associate of Satpal @ Sonu was granted anticipatory bail by the learned ASJ. Ravinder @ Tinku could not be arrested despite efforts and process under Section 82 Cr.P.C. has been initiated against him. According to the

Status Report the charge-sheet has since been filed.

Since the investigation is complete and charge-sheet has already been filed and for the accused who could not be arrested, process in accordance with law has been initiated, this Court does not find any ground to transfer or direct any further investigation by any other agency.

Petition is accordingly dismissed.

MUKTA GUPTA, J.

JANUARY 19, 2018
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