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

+ **W.P.(CRL) 3302/2017**

BABA FIROZUDDIN

... Petitioner

Represented by: Mr.M.A.Rahman with
Mr.A.Kalam and
Mr.Moinuddin Ansari,
Advocates

versus

THE STATE GOVT OF NCT OF DELHI & ORS ... Respondents

Represented by: Mr.Rajesh Mahajan, ASC for
the State with Insp. C.L.Meena
and SI Bharat Singh, PS
Hazarat Nizamuddin

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

31.01.2018

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By this petition the petitioner has sought transfer of the investigation to Crime Branch. A Status Report has been filed. As per the Status Report, dead body of a young boy was found lying in Amir Khusro Park, Lodi Road on 5th September, 2017 on which a PCR call was received which was recorded vide DD No.10A. The deceased was identified to be Javed, son of the petitioner. FIR No.198/2017 under Section 302 IPC was registered. During the course of investigation, blood stained stones, wooden stick, polybag, a knife, shoes of the deceased and blood stained earth control were collected and sent to FSL for examination. As per the post-mortem report the cause of death was head injury caused by blunt external force. During
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the investigation, two accused Kaleem @ Aslam and Islam @ Shanu have since been arrested and mobile phone of deceased Javed was recovered from the possession of accused Kaleem @ Aslam. One of the accused namely Abid @ Lambu, named in the disclosure statement of the accused, has still not been arrested and efforts are being made to arrest him. Charge-sheet qua Kaleem @ Aslam and Islam @ Shanu has since been filed in the Court of competent jurisdiction and the matter is at the stage of framing of charge, the next date of hearing being 19th February, 2018.

Since charge-sheet has already been filed against the two accused arrested and efforts are being made to trace the third accused, this Court finds no ground to transfer the investigation.

Petition is accordingly dismissed.

MUKTA GUPTA, J.

JANUARY 31, 2018
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