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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 2838/2017

KHACHEDU RAM

..... Petitioner

Through: Mr.Santosh Kumar, Mr.Mukul
Kumar, Mr.Pranav Praneet and
Ms.Renuka Jumrane, Advs

versus

THE STATE & ORS.

..... Respondents

Through: Mr.Mridul Jain, SPP for CBI

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **22.10.2019**

Present writ of habeas corpus has been filed by the petitioner-father alleging that his son Mr.Ravinder Sharma has been missing since 30.08.2017.

FIR under Section 365 IPC had been registered with Police Station Fatehpur Beri, which was re-registered as RC-11(S)/2017/CBI/SC-1/New Delhi on 22.12.2017 after the investigation was transferred to the CBI by this court vide order dated 15.11.2017.

A number of status reports have been filed in the present writ petition. The latest comprehensive status report dated 11.09.2019 has been filed by the Additional Superintendent of Police/CBI. Despite taking an opportunity to file a reply – affidavit to the status report on the last date of hearing no such reply – affidavit has been filed.

Learned counsel for the petitioner prays for an adjournment. However, the said request is declined.

Though the missing person has not been found, yet in the latest status report it has been stated that the CBI is in the process of filing the final report under Section 173 Cr.P.C in the court of competent jurisdiction by treating this case as untraced with the option to reopen the investigation of the case, if any credible clue / information is received about Mr.Ravinder Sharma in future.

Keeping in the aforesaid, the present writ petition is disposed of with the direction to the CBI to file the final report under Section 173 Cr.P.C in the court of competent jurisdiction within four weeks. The petitioner shall be at liberty to oppose the same in accordance with law, if it so desires. The trial court shall decide the case on its own merits.

MANMOHAN, J

SANGITA DHINGRA SEHGAL, J

OCTOBER 22, 2019
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