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

+ **W.P.(CRL) 3957/2018**

RASIK BHUTANI

..... Petitioner

Through: Mr Jai Prakash and Mr Bhaskar
Aditya, Advocates along with
petitioner in person.

versus

STATE & ORS.

..... Respondents

Through: Ms Shivani Sharma, Advocate for Ms
Richa Kapoor, ASC for State.
W/Inspector Samjita, DIU/RD.
Mr Anil Grover, SPP for CBI with Mr
Mishal Vij, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **26.11.2019**

1. The petitioner has filed the present petition, *inter alia*, praying that investigation relating to the death of a six years old child (Janmay Jai) be transferred to the Central Bureau of Investigation.
2. The petitioner is the father of the deceased child and alleges that the mother of the child (his wife) is responsible for the incident. It has also been brought on record that there are matrimonial disputes between the petitioner and his wife.
3. The petitioner alleges that the investigation has not been conducted in a fair manner and the concerned police officials had colluded with his wife.
4. A status report has been filed which indicates that the investigation is proceeding and the CCTV footage provided by the petitioner has been

forwarded to the FSL.

5. At this stage, this Court is not persuaded to hold that the investigation has been carried in an unfair manner. Nonetheless, since the incident involves a death of a child and certain allegations have been made by the father of the child; this Court considers it apposite to direct that the investigation be transferred to the Crime Branch, Delhi Police. It is so directed.

6. The Crime Branch shall also review the investigation already conducted and if necessary, re-investigate any aspect that the investigation agency considers necessary.

7. It is clarified that this Court has not expressed any opinion as to the merits of the allegations made by the petitioner and nothing stated herein should be construed as such.

8. The petition is disposed of with the aforesaid directions.

VIBHU BAKHRU, J

NOVEMBER 26, 2019
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