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

+ **W.P.(CRL) 3099/2019 & CRL.M.A. 39616/2019**

DAMYANTI DEVI

..... Petitioner

Through Mr Rajeev K. Sharma, Ms Megha
Sharma, Ms Pooja Tandon, Ms Santwana,
Advocates.

versus

STATE & ORS

..... Respondents

Through Mr Rahul Mehra, Standing Counsel for
state with Mr Chaitanya Gosain, Mr Aman Preet
Singh, Advocates for state.
SI Lekh Raj, P.S. Crime Branch.
SI Amit Tyagi, P.S. DBG Road.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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18.02.2020

1. The petitioner has filed the present petition, *inter alia*, essentially, praying that the investigation in relation to FIR No. 110/2015, under Section 365 of the IPC registered with PS DBG Road, New Delhi, and FIR No. 65/2019, under Sections 420/34 of the IPC registered with PS DBG Road, be transferred to another agency.
2. A missing report has been filed in respect of one Sh Pyare Lal, husband of the petitioner. It is alleged that at about 4.00 p.m., on 02.02.2015, he left his home for a walk in Ajmal Khan Park, Karol Bagh but had not returned back. The petitioner has alleged that she suspected that her

two sons, two daughters-in-law and her son-in-law had kidnapped her husband. The son of the petitioner, namely, Sushil Kumar, had also filed a writ petition bearing *W.P. (Crl.) No. 2765/2016*, praying that his father be traced and returned back.

3. The status report has been filed which indicates that investigation is being carried out and the call records of the relevant persons have been analysed; hue and cry notices have been issued; and W/T message has been sent to CBI NCRB, but no clue has been found.

4. The petitioner also alleged that one Mr Vashisht Narayan Singh @ Bihari s/o Ram Narayan Singh, who is a known *tantrik*, used to visit the residence of the petitioner for performing *pooja*. She alleged that he had taken a sum of ₹5,00,000/- from her husband to perform *pooja* but since they did not receive any relief from the *pooja*, her husband had called upon the said *tantrik* to return back the said funds and on so demanding, he had threatened her husband. The status report indicates that the said aspect is also being examined. The investigating agency has also filed an application for conducting the Brain Electrical Oscillation Signature Profiling (BEOSP) Test of Sh Vashisht Narayan Singh (*tantrik*). Prior to the same, he was also questioned. The sons and other relatives of the petitioner have also been subjected to polygraph tests.

5. The learned counsel appearing for the respondent states that insofar as the FIR relating to the allegation of commission of an offence under Section 420 of the IPC is concerned, the charge sheet has been prepared and will be filed shortly. In view of the above, this Court does not consider it apposite to pass any further orders. It is clear that investigations are being conducted

and both the FIRs will be carried to their logical conclusion.

6. The petition is disposed of with the aforesaid observations.
7. The pending application is also disposed of.

VIBHU BAKHRU, J

FEBRUARY 18, 2020

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