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

+ **W.P.(CRL) 1031/2020**

ABHISHEK GOYAT

..... Petitioner

Through: Mr Ramesh Gupta, Senior Advocate
with Mr N.K. Bhardwaj, Mr Jay
Bhardwaj, Advocates.

versus

STATE & ORS.

..... Respondents

Through: Mr Rahul Mehra, Standing Counsel
for State with Mr Chaitanya Gosain,
Mr Divyank Tyagi, Advocates.
Mr Ravi Pakash, Mr Ashish Verma
and Mr Daksh Wadhawan, Advocates
for R-6.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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30.07.2020

[Hearing held through video conferencing]

1. The petitioner has filed the present petition, *inter alia*, praying that the investigation in FIR No. 0297/2020 under Sections 420/468/471/120B of the IPC be transferred to EOW.
2. Mr Gupta, learned Senior Counsel appearing for the petitioner contends that in terms of the circular No. 173/2010 dated 12.10.2020 and addendum dated 26.10.2010, the investigation is required to be transferred to EOW Cell. It is averred that the alleged forgery in the present case has resulted in the complainant suffering a loss of ₹25,00,00,000/- (₹25 crores).
3. The status report has been filed which indicates that there is no

material to substantiate the said valuation and the offence being investigated by DIU/South West District is that of forgery.

4. The learned counsel appearing for the complainants also earnestly contends that the investigation cannot be transferred at the instance of the petitioner as he cannot choose the agency which would investigate the offence against him.

5. Mr Rahul Mehra, learned standing counsel appearing for the State submits that the circular relied upon by the petitioner is not strictly applicable. However, he fairly suggests that since the petitioner has expressed his apprehension regarding the manner in which investigation is being conducted, the investigation be transferred to Crime Branch.

6. The said suggestion is accepted by the learned counsel for the parties.

7. In view of the above, the present petition is disposed of by directing that the investigation with respect to the FIR in question be transferred from DIU, South-West District to Crime Branch. The concerned officer shall pass the necessary orders to transfer the investigation forthwith.

8. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

JULY 30, 2020
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