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

+ **W.P.(CRL) 91/2023**

NIHAR GUPTA

..... Petitioner

Through: **Mr. Kunal Prakash & Mr. Alok Kr. Pandey, Advs.**

versus

THE STATE AND ORS. & ANR. Respondents

Through: **Mr. Amol Singh, ASC along with Ms. Ashvini Kumar & Ms. Chavi Lazarus, Advs.**
SI Amandeep Rana, PS Paschim Vihar West.

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Date of Decision: 26.04.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. This is a writ petition for the transfer of investigation of the FIR No. 101/2020 under Section 420 IPC from Police Station Paschim Vihar, New Delhi to Economic offence Wing.
2. Learned Additional Standing Counsel submits that the matter can be transferred to the Economic Offence Wing if the subject matter is more than of 3 Crores and further it can be transferred only

within 15 days of the registration of the FIR.

3. Learned counsel submits that however, any order passed by this Court shall be complied.
4. Learned counsel for respondent No.2 to 5 has opposed and submits that matter may not be transferred.
5. However, I consider that though in the matter of conducting the investigation by an agency, the alleged persons have a right of the fair investigation. But at the same time the complainant has also a right to get the matter investigated thoroughly in accordance with law. The petitioner is seeking transfer on the ground that EOW is specialized agency and his matter can only be investigated better by the said agency. There is no dispute that the present matter falls within domain of EOW.
6. In view of the submissions made by the learned Additional Counsel, the FIR No. 101/2020 is transferred to the Economic Offence Wing for conducting the investigation in accordance with the law.
7. The petition stands disposed of.

DINESH KUMAR SHARMA, J

APRIL 26, 2023

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