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

+ **W.P.(CRL) 366/2023**

NAZMA

.....Petitioner

Through: Mr. Ranbir Singh Kundu, Ms. Kirti Aggarwal, Mr. Shahanshah Khan and Ms. Neha, Advocates.

versus

STATE & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel (Crl.) with Mr. Abhinav Kr. Arya and Ms. Priyam Agarwal, Advocates for the State with SI Deepak Kumar, PS Subzi Mandi, Delhi.
Ms. Manu Chaturvedi, Standing Counsel with Ms. Devika Singh Roy Chowdhary, Advocates for MCD.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

29.08.2024

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1. The Writ Petition under Article 226 of the Constitution of India read with Section 482 of CrPC has been filed on behalf of the petitioner directing the respondents to register the FIR and transfer of investigation to CBI/respondent No. 4 and also to get the further postmortem conducted by a Board of doctors at AIIMS in the supervision of independent officials/doctors and to direct the concerned doctors and police (respondent Nos. 2 and 3) to hand over all the relevant documents (copies) to the petitioner.

2. Learned Standing Counsel for the State, submits that the copies of the



medical documents as available with the IO, are being handed over today itself.

3. Learned counsel appearing on behalf of the Hindu Rao Hospital, has joined through VC and submits that they have already made the documents available to the police. However, if any assistance is required they would make the same available on the appropriate application being filed by the complainant or by the IO. It is further informed on behalf of the State that the subsequent information in regard to the postmortem report is pending before the Maulana Azad Medical College.

4. In view of the facts and circumstances that the documents have already been available to the petitioner, learned counsel for the petitioner, seeks permission to withdraw the present Petition with liberty to file an appropriate application under Section 156(3) before the learned Metropolitan Magistrate or to take legal recourse available to him. It is also hereby directed that the IO may move an appropriate application before the concerned Medical Superintendent for expeditious information on the postmortem report looking at the sensitivity of the matter.

5. The Petition is accordingly disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 29, 2024/RS