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

+ **W.P.(CRL) 547/2020**

GHANSHYAM PRASAD

..... Petitioner

Through: Mr. Juggal Bagga, Advocate with
petitioner in person.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Yasir Rauf Ansari, ASC
(criminal) for the State with Mr. Alok
Sharma & Mr. Vasu Agarwal, Advs.
SI Moyhit, DIU/Outer North Dist.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

11.03.2024

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1. The present petition under Article 226 and 227 of the Constitution of India read with Section 482 of the Cr.P.C. seeks the following prayers:-

“In view of the above facts and circumstances it is, therefore, most respectfully prayed that this Hon'ble Court may be pleased to:

- i) Issue a Writ of Mandamus or any other Writ/ directions, directing the transfer of investigation of the case being DD NO. 33-A dated 16.04.2019 PS Shabad Dairy to CBI for fair and impartial investigation; or
- ii) Issue a Writ of Mandamus or any other Writ/ directions, directing the transfer the investigation of the case being DD NO. 33-A dated 16.04.2019 PS Shabad Dairy to Crime Branch of Delhi Police or any other investigating agency for fair and impartial; and
- iii) Issue a Writ of Mandamus or any other Writ/ directions, directing the Police to register an FIR under section 302 IPC as well as other relevant and applicable sections; and/or
- iv) pass such other order (s) as this Hon'ble Court may deem fit and



proper in the interest of justice.”

2. Learned counsel appearing on behalf of the petitioner submits that at the relevant time the officials of the concerned police station did not take necessary steps for preserving the viscera and the clothes of the deceased.
3. Learned Additional Standing Counsel for the State, on instructions of the Investigating Officer submits that the inquiry/inquest proceedings have since been transferred to District Investigating Unit, Outer North District. It is further submitted that if during the course of aforesaid proceedings, if any lapses are noted on behalf of the concerned offices, then necessary action in accordance with law will be taken.
4. In view of the above, learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present petition with liberty to initiate appropriate proceedings in accordance with law on receiving the result of the said proceedings.
5. Leave granted.
6. The petition is dismissed as withdrawn and disposed of accordingly.
7. Pending application, if any, also stands disposed of.
8. It is directed that the said inquiry will be conducted under direct supervision of the DCP concerned.

AMIT SHARMA, J

MARCH 11, 2024/nk