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

+ **W.P.(CRL) 2408/2024 & CRL.M.A. 23543/2024**

NARESH KUMAR

.....Petitioner

Through: Ms. Supriya Juneja, Mr.
Aditya Singh, Mr. Gaurav
Saini, Mr. Raghav Bakshi
& Mr. R. Saha, Advs.
SI Nagendra Kumar, Anti
Narcotics Squad, South
East.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Rahul Tyagi, ASC
(Crl) for the State along
with Mr. Hardeep Singh,
Mr. Ajay Kumar, Ms.
Aakriti Nautiyal, Ms.
Yukti Makan, Mr. Moiz
Elahi & Mr. Abhishek
Tomer, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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13.08.2024

CRL.M.A. 23544/2024 *(exemption from filing the
original/certified/ typed copy of annexures)*

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The learned counsel for the petitioner submits that an unfair investigation is being carried out by the State. She submits that there are material contradictions between what was reported at the time of the FIR and what has been stated in the chargesheet. She submits that the CCTV footage though



available, has not been considered by the State. According to the petitioner, the CCTV footage would clearly indicate that the sequence of events as narrated by the prosecution is false. She submits that in such circumstances, it is clear that the investigation has not been carried out in an independent and fair manner.

4. She, however, at the outset, seeks liberty to withdraw the present petition and file an appropriate application before the learned Trial Court for further investigation and praying for the investigation to be transferred to another department in the Delhi Police.

5. In view of the above, the present petition is dismissed with liberty to raise all grounds before the learned Trial Court.

6. Needless to say that the petitioner is at liberty to approach this Court in case any grievance remains.

AMIT MAHAJAN, J

AUGUST 13, 2024
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