

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRL. MISC. No.M-37007 OF 2017 (O&M)
DATE OF DECISION : 6TH OCTOBER, 2017

Rameshwar Dass @ Rameshwar Dayal

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Deepender Singh, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Mr. Arjun Sheoran, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

CRM-32162-2017

The application is allowed and Annexure P-7 is taken on record, subject to all just exceptions.

CRL. MISC. No.M-37007 OF 2017

The petitioner has filed this petition under Section 439 Cr.P.C. seeking regular bail in FIR No.90 dated 23.06.2017 registered under Sections 323, 324, 302, 307, 201 and 34 IPC (the petitioner challaned under Section 323, 298, 341 IPC and Section 145 of Railways Act) at Police Station GRP Faridabad, District GRP Ambala Cantt., Haryana.

Heard learned counsel for the rival parties, including the complainant.

The prosecution case as put up by the prosecution is regarding the quarrel between the boys that took place over seat sharing

in the train when murder took place in the train. The incident was published enormously. The prosecution allegations are such that in my opinion there is every likelihood of prosecution witnesses being put in jeopardy. In that view of the matter, I think the trial Court ought to have fixed the Sessions trial itself for trial so that the evidence is recorded untampered. In that view of the matter, I make the following order:

ORDER

- (i) Prayer for bail is not considered for the time being and the petition is disposed of with liberty to apply for regular bail again after a period of five months.
- (ii) In the meanwhile, the trial Court shall frame charge on 10.10.2017 and shall immediately prepare a schedule for conducting the Sessions trial if possible on day to day basis and complete the same within five months.
- (iii) CRL. MISC. No.M-37007 OF 2017 is disposed of with the observations as aforesaid.

6TH OCTOBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>