

ITEM NO.3

COURT NO.6

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No. 6913/2017

(Arising out of impugned final judgment and order dated 15-05-2017
in MCRC No. 9393/2016 passed by the High Court of M.P. at Indore)

RAJU

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(With IA No.83041/2017-EXEMPTION FROM FILING O.T.)

WITH

SLP(Crl) No. 6807/2017 (II-A)

(With IA No.88153/2017-EXEMPTION FROM FILING O.T.)

Date : 18-01-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Mr. Sushil Kumar Jain, Sr. Adv.
Mr. Puneet Jain, Adv.
Mr. Abhinav Gupta, Adv.
Mr. Pramod Sharma, Adv.
Ms. Ankita Gupta, Adv.
Ms. Pratibha Jain, AOR

Mohd. Irshad Hanif, AOR
Mohd. Adeel Siddiqui, Adv.

For Respondent(s)

Mr. Sunny Choudhary, Adv.
Mr. Mishra Saurabh, AOR

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel for the respondent has produced status
report dated 15.01.2018 as per which there are 72 witnesses
in total to be examined in this case. Six are

eye-witnesses. Two witnesses have been examined so far and both are eye-witnesses. Learned counsel for the petitioners submits that these two eye-witnesses have not supported the case of the prosecution.

Having regard to the seriousness of the charges, it would be appropriate if the other four eye-witnesses are examined in the first instance.

As per the status report, the case was fixed for 17.01.2018. However, counsel for the parties are not able to state as to what happened on that date.

In the aforesaid circumstances, we dispose of these petitions with direction to the trial Court to examine the remaining four eye-witnesses in the first instance. This exercise shall be completed within four weeks from the next date of hearing. After these witnesses are examined, it will be open to the petitioners to apply for bail again by moving an appropriate application before the trial Court and the trial Court shall consider the said application in the light of the depositions of those witnesses.

(NIDHI AHUJA)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER