

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

CRM No.M-10405 of 2015

Date of Decision: October 08, 2015

Rafik

...Petitioner

VERSUS

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr.Rajesh Arora, Advocate  
for the petitioner.

Mr.Himmat Singh, Asstt. Advocate General, Haryana  
for the respondent-State.

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**INDERJIT SINGH, J.**

Petitioner has filed this petition under Section 439 Cr.P.C.  
for grant of regular bail in case FIR No.433 dated 04.12.2014 under  
Sections 457, 396, 412 and 120-B IPC, registered at Police Station  
Udyog Vihar, District Gurgaon.

Notice of motion was issued and learned State counsel  
appeared and contested the petition.

I have heard learned counsel for the petitioner as well as  
learned State counsel and have gone through the record.

As per the FIR, Laxman Singh, Guard was murdered and  
the cloth from the factory has been taken away. Learned counsel for  
the petitioner argued that neither the petitioner is named in the FIR

nor he has been seen in the CCTV footage. From the record, I find that after completion of investigation, challan has already been presented against the petitioner. As per learned State counsel, four bundles of cloth have already been recovered as per the disclosure statement of the accused-petitioner.

Keeping in view the facts and circumstances of the present case and nature and gravity of the offence and in view of the fact that the case is at preliminary stage, I do not find it a fit case where petitioner is entitled to benefit of regular bail at this stage. There is also apprehension that accused-petitioner may tamper with the evidence or abscond from the proceedings.

Therefore, finding no merit in the present petition, the same is dismissed.

**October 08, 2015**  
Vgulati

**(INDERJIT SINGH)**  
**JUDGE**