

CRM-M-40723-2017

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

CRM-M-40723-2017

Date of Decision: 09.11.2017

Rafik

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vivek Sharma, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Rafik has filed this 3rd petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.433 dated 04.12.2014, registered at Police Station Udyog Vihar, District Gurgaon, under Sections 457, 396, 412 and 120-B of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has appeared on behalf of respondent-State and contested the instant petition.

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

From the record, I find that first petition of the petitioner

CRM-M-40723-2017

was dismissed on merit by this Court vide order dated 08.10.2015. In the order dated 08.10.2015, it has been discussed that guard-Laxman Singh was murdered and clothes from the factory were taken away. It is also discussed that four bundles of clothes have already been recovered as per the disclosure statement of accused-petitioner.

Now, no change in circumstances has been shown to this Court by learned counsel for the petitioner for grant of bail.

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

Vide order dated 17.03.2017, trial Court was already directed by this Court to expedite the trial. However, three witnesses still remains to be examined. As the petitioner has been in custody for the last about 03 years, trial Court is directed to conclude the trial expeditiously, preferably within three months from the next date. The Investigating Officer/SHO concerned is directed to produce the witnesses before the trial Court on the next date. The Commissioner of Police, Gurugram is directed to look into the matter personally for producing the witnesses before the trial Court at the earliest preferably on the next date.

09.11.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No