

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

CRM-M-9714-2021 (O&M)

Date of Decision: 26.03.2021

Roshan Singh @ Rocky

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. K.S.Brar, Advocate, for the petitioner.

Mr. Ramesh K. Ambavta, AAG, Haryana,
assisted by ASI Bhupender Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.93 dated 05.09.2016 at Police Station Rori, District Sirsa, under Section 392/397 IPC and under Section 25 of the Arms Act.
2. It may here been mentioned that the petitioner had earlier been granted bail vide order dated 08.06.2017 passed by the trial Court, but on account of his absence on 06.06.2018 his bail was cancelled. Since his presence could not be secured, he was declared a proclaimed offender on 30.07.2019. Subsequently, the petitioner was arrested pursuant to issuance of a protection warrant on 19.03.2020.
3. Learned State counsel has opposed the petition on the ground that since the petitioner had earlier absconded from trial and had in fact

been declared a proclaimed offender, there is every likelihood that he would again abscond.

4. I have considered rival submissions addressed before this Court.
5. It has been almost one year ever since the petitioner was re-arrested. The said period would serve sufficient deterrent to the petitioner to be more careful in future. In any case, the apprehension of the learned State counsel cannot be said to be unfounded. As such, while accepting the petition for grant of bail, it is ordered that the trial Court, apart from imposing any such conditions as may be deemed appropriate at the time of accepting bail bonds and surety bonds, shall also direct the petitioner to deposit one FDR for an amount of Rs.2 lakhs, which shall be kept as security. In case, the petitioner misuses the concession of bail, the same shall stand forfeited to State.
6. The trial Court concerned shall issue necessary directions to the Bank where the amount is invested in FDR not to permit encashment of the FDR without appropriate order of the Court.
7. It is made clear that upon conclusion of trial, the FDR shall be released in favour of the petitioner in case the trial Court finds that the petitioner has not misused the concession of bail.

26.03.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**