

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

CRM-M-15860-2020

Date of decision:-1.7.2020

Ravinder Kumar @ Binder

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR.JUSTICE H.S.MADAAN**

Present: Mr.R.S. Sekhon, Advocate  
for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

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**H.S. MADAAN, J.**

Case taken up through video conferencing.

This petition for regular bail has been filed by petitioner –  
Ravinder Kumar @ Binder, aged about 24 years – an accused in FIR  
No.30 dated 21.3.2019 for the offence under Section 21 of NDPS Act,  
registered at Police Station Khuian Sarwar, District Fazilka.

Briefly stated, the facts of the case as per prosecution story  
are that on 21.3.2019, a police party from Police Station Khuian Sarwar  
had apprehended Ravinder Kumar @ Binder and Bhalu Ram while they  
were riding a motorcycle. 780 tablets of Tramadol were recovered from  
their possession, which amounts to commercial quantity. Both the accused  
were arrested in this case. Formal FIR was registered. The petitioner had

filed an application for regular bail in the Court of Sessions, which was declined by learned Judge, Special Court, Fazilka vide order dated 28.5.2019.

The petitioner had moved this Court earlier craving for grant of bail. However, that petition bearing CRM-M-46108-2019 was dismissed on 28.1.2020 (as reported by Registry). He has again approached this Court with similar request, which is being resisted by the State counsel.

At the very outset, it may be stated that a clear attempt has been made to conceal material facts from the Court. In the head-note appended on the index, the language used is that *no such or similar has earlier been filed by the petitioner in this Hon'ble Court except CRM No.46108 of 2019 or in the Hon'ble Supreme Court of India and no such petition is pending in the Sessions Court, Fazilka*, instead of clearly mentioning that a similar petition had been filed earlier by the petitioner and it was dismissed. By jugglery of words, it has been tried to project as if no petition had been filed earlier. In the petition itself, in para No.9, though there is mention of Additional Sessions Judge having dismissed the bail application but then it has nowhere been clearly stated that the petitioner had approached this Court earlier by filing a similar petition for regular bail, which had been dismissed. Copy of that order had not been attached.

Unless there is some change in circumstances, after dismissal of first bail application, which are required to be pleaded and brought to notice of this Court, the second petition for regular bail is not

maintainable.

Furthermore, the contraband recovered from the petitioner and his co-accused amounts to commercial quantity attracting rigor of Section 37 of the Act. There is nothing to record satisfaction that there are reasonable ground for believing that petitioner is not guilty of that offence or that he has not committed any offence.

The drug trafficking is rising at an alarming rate in this region, which has ruined the lives of young men and women. Drug peddlers for a small monetary consideration make the youth to use drugs for a small time excitement/kick. The drug peddlers have successfully destroyed the social fabric of our society and led youth to the wrongful path. Such type of persons need to be dealt with firmly and sternly and no sympathy can be shown to them lest that should prove to be counter productive and result in increased drug trafficking.

Therefore, finding no merit in the petition, the same stands dismissed.

While parting with the discussion, it is observed that since an attempt has been made to conceal material facts from this Court on behalf of the petitioner, Registrar (Judicial) of this Court is directed to conduct a probe in the matter and then to submit report in that regard.

1.7.2020  
Brij

**(H.S.MADAAN)**  
**JUDGE**

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

**Whether reportable : Yes/No**