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

CRM-M-37945 of 2015

Date of decision: November 17, 2015

Vinod Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG Punjab.

SABINA, J

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No.140 dated 16.10.2010, under Section 18 of Narcotic Drugs and Psychotropic Substance Act, 1985 ('Act' for short), registered at Police Station Sadar, Abohar, District Fazilka.

As per the prosecution case, petitioner was found in possession of three Kilogram opium. Initially enquiry was conducted by Superintendent of Police (H), Ferozepur and petitioner was found innocent. Petitioner was discharged by the trial Court vide order dated 08.03.2011. However, later, supplementary challan was presented against the petitioner. Petitioner is now in custody since 02.07.2015.

On a query put by this Court, learned State counsel who is assisted by Head Constable Krishan Lal has submitted that the petitioner is not involved in any other case under the

Act.

Keeping in view the fact that initially, petitioner was found innocent and was discharged by the trial Court, it would be just and expedient to order the release of the petitioner on bail.

Accordingly, without expressing any opinion on merits on the case, this petition is allowed. Petitioner be admitted to bail, subject to the satisfaction of the Chief Judicial Magistrate, Fazilka.

**(SABINA)
JUDGE**

November 17, 2015
mahavir