

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 54 of 2017**

Ramji Sinha S/o Khanjhar Ram Sinha, Aged About 61 Years R/o Street No.1, Gaya Nagar, Police Station City Kotwali, Durg, Tahsil And District Durg Chhattisgarh

Versus

State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Mahasamund, District Mahasamund Chhattisgarh

---- Respondent

For applicant	Mr. Praveen Dhurandhar, Adv.
For Respondent/State	Mr. Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****3-8-2017**

1. At the outset, learned counsel for the applicant submits that instant MCRCA may be disposed of as withdrawn as the applicant intends to surrender before the concerned court of Judicial Magistrate First Class having jurisdiction and further intend to file an application under Section 437 of the Cr.P.C. He further submits that concerned court may be directed to hear the matter and decide the said application as early as possible preferably on the same day.
2. As prayed, instant MCRCA is disposed of as withdrawn without any appreciation on its merit. It is directed that if the applicant gives three days' prior notice to the IO/SHO/incharge of Police Station City Kotwali, Distt. Mahasamund (CG), in connection with Crime No. 649/2016 under Section 295(A) of the Indian Penal Code, 1860 regarding his surrender before the concerned Judicial Magistrate having jurisdiction and also gives 3 days prior intimation to the concerned Judicial Magistrate having jurisdiction and if the applicant after surrender as per law files an application under Section 437 of the Cr.P.C. after completion of all formalities as required under the law by

the police and the concerned Magistrate, the said application for release on bail under Section 437 of the Cr.P.C. be disposed of as expeditiously as possible preferably on the same day on the basis of its own merit.

3. The applicant may file copy of the order before the concerned court for compliance. Registrar (Judicial) is also directed to send copy of the order to the concerned Magistrate having jurisdiction through fax and usual mode immediately.
4. MCRCA is accordingly disposed of.

Sd/-
(Chandra Bhushan Bajpai)
Judge