

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 373 of 2017

- Imamul Ali S/o Shri Murtuja Ali, Aged About 27 Years (wrongly mentioned as Murtaja Ali in the impugned order dated 27/04/2017) R/o Shop No. 42, Sector 09, Goal Market Bhilai, Police Station Sector 06 Kotwali, Bhilai Nagar, Tahsil & District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Pulgaon, District Durg, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Rishi Rahul Soni, Advocate.

For Non-applicant/State – Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

28-07-2017

1. At the outset, learned counsel for the applicant would submit that the instant MCRCA may be disposed of as withdrawn as the applicant intends to surrender before the concerned Court of JMFC having jurisdiction and further intends to file an application under Section 437 of the Cr.P.C. He would further submit that the Court below may be directed to hear the matter and decide the said application as early as possible preferably on the same day.

2. As prayed, the instant MCRCA is disposed of as withdrawn without any appreciation on its merit.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 I.O./S.H.O. of Police Station Pulgaon, District Durg, C.G. in connection with Crime No.244/2016 for offence under Section 420, 408, 467, 468, 471, 381, 120B, 34 of the IPC regarding his surrender before the concerned Judicial Magistrate having jurisdiction and also gives three days' prior intimation to the concerned Judicial Magistrate having jurisdiction and if the applicant thereafter surrenders as per law and files an application under Section 437 of the Cr.P.C. after completion of all formalities required under the law by the police and the concerned Judicial Magistrate, the said application for release on bail be disposed of as expeditiously as possible preferably on

same day.

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

Sd/-

(Chandra Bhushan Bajpai)
Judge