

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 478 of 2017**

1. Baldev Singh Malwa S/o Late Pritam Singh Malwa, Aged About 80 Years R/o Malwa Market, Opposite Polytechnic College, Durg, District Durg, Chhattisgarh.
2. Satwant Singh Malwa S/o Baldev Singh Malwa, Aged About 45 Years R/o H.I.G. 1, 247, Borsi, Durg, District Durg, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Mohan Nagar Durg,
District Durg, Chhattisgarh.

---- Respondent

For applicant	Mr. P.R. Patankar, Adv.
For Respondent/State	Mr. Sumit Jhanwar, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****27-7-2017**

1. At the outset, learned counsel for the applicants submits that instant MCRCA may be disposed of as withdrawn as the applicants intend to surrender before the concerned court of Judicial Magistrate First Class having jurisdiction and further intend to file an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 As prayed, instant MCRCA is disposed of as withdrawn without any appreciation on its merit.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 applicants give three days' prior notice to the IO/SHO/incharge of Police Station Mohan Nagar, Distt. Durg, in connection with Crime No. 244/2017 under Section 457, 380 and 427 of the Indian Penal Code, 1860 regarding their surrender before the concerned Judicial Magistrate having jurisdiction and also give 3 days prior intimation to the concerned Judicial Magistrate having jurisdiction and if the applicants after surrender as per law file 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 applicants themselves 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