

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 521 of 2017

1. Amilal S/o Ratan Singh, Aged About 64 Years Caste- Panika,
2. Madan Das S/o Panikdas, Aged About 42 Years

Both R/o Village- Badadarha, Police Station- Dabhra, Tahsil- Dabhra, District- Janjgir- Champa, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station- Dabhra, District- Janjgir- Champa, Chhattisgarh.

---- Respondent

For applicant	Mr. Kamlesh Pandey, Adv.
For Respondent/State	Mr. Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board

12-10-2017

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 At the outset, learned counsel for the applicants submits that instant MCRCA may be disposed of as withdrawn as the applicants intend to surrender before the concerned court of Judicial Magistrate First Class having jurisdiction and further intend to file an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 As prayed, instant MCRCA is disposed of as withdrawn without any appreciation on its merit.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/SO/incharge of Police Station Dabhra, Distt. Janjgir Champa (CG) in connection with Crime No. 163/2010 under Section 147, 148, 149, 458, 395, 397, 436, 427, 323 of the IPC 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. Addl. 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