

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case (A) No.524 of 2017**

1. Nanku Soni S/o Shricharan Soni, Aged About 57 Years By Caste Sonar R/o Village Pakariya, Police Station Shivarinarayan District Janjgir Champa Chhattisgarh
2. Neeru Bai (Wrongly Written As Neelu According To The Charge Sheet) W/o Nanku Soni, Aged About 53 Years By Caste Sonar R/o Village Pakariya, Police Station Shivarinarayan, District Janjgir Champa Chhattisgarh
3. Ku. Ushan, D/o Nanku Soni, Aged About 21 Years By Caste Sonar R/o Village Pakariya, Police Station Shivarinarayan, District Janjgir Champa Chhattisgarh
4. Ashwani Soni, S/o Nanku Soni, Aged About 25 Years By Caste Sonar R/o Village Pakariya, Police Station Shivarinarayan, District Janjgir Champa Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The District Magistrate, Through Police Station Pandariya, District Kabirdham (Kawardha) Chhattisgarh

---- Respondent

For Applicant	: Shri NK Chatterjee, Advocate
For Respondent/State	: Shri Ashok Swarnker, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****18.8.2017**

At the outset, learned counsel for the applicants would submit that the Police of Police Station Pandaria, District Kabeerdham, Kawardha has registered Crime No.28/2014 under Section 498A/34 of the IPC and filed charge sheet against six accused persons including present applicants which is pending before Judicial Magistrate First Class, Pandariya, Distt. Kabeerdham as Criminal case No.279/2015 under Section 299 of

the Cr.P.C. showing all the accused persons absconding. Learned counsel for the applicants further submits that the applicants intend to surrender before the concerned trial Court, hence, instant bail application may be disposed of as withdrawn and the Court below may be directed to decide the application under Section 437 of CrPC, if filed on behalf of the applicants, as expeditiously as possible, preferably on the same day.

2. As prayed, the instant MCRCA is disposed of as withdrawn without any appreciation on its merits. It is directed that if the applicants give three days' prior intimation to the concerned trial Court having jurisdiction and if thereafter the applicants surrender before the concerned criminal Court and file application under Section 437 of CrPC, after completion of formalities required under the law by the concerned court, the said application for release on bail under Section 437 CrPC be disposed of as expeditiously as possible preferably on the same day. The applicants may file a copy of the order before the concerned court for compliance.

3. Registrar (Judl.) is also directed to send a copy of the order to the court concerned having jurisdiction through usual and fax mode.

4. MCRCA is accordingly disposed of.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE