

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case (A) No.680 of 2017**

- Jainu Thakur @ Jainendra Thakur S/o Jagat Bahadur Aged About 31 Years R/o Ward No. 7, Gandai, Police Station Gandai, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station, Gandai, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicants : Shri Abhishek Sharma, Advocate
 For Respondent/State : Shri UKS Chandel, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****01.9.2017**

At the outset, learned counsel for the applicant would submit that instant MCRCA may be disposed of as withdrawn as the applicant intends to surrender before the concerned Court of Judicial Magistrate First Class having jurisdiction and further intends to file an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 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 As prayed, the instant MCRCA is disposed of as withdrawn without any appreciation on its merits. It is directed that if the applicant gives three days' prior notice to the IO/SHO of PS Police Station Gandai, Distt. Rajnandgaon (CG) in connection with Crime No.143/2017 of the offence under Section 304 of the Indian Penal

Code regarding his surrender before the concerned Judicial Magistrate having jurisdiction and also give three 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 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 the same day.

3. The applicant may file a copy of the order before the concerned Court for compliance.

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

5. MCRC is accordingly disposed of.

Sd/-

(Chandra Bhushan Bajpai)

JUDGE