

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 726 of 2017**

1. Laxmi Kumari, W/o Tarachand Rathore, Aged About 53 Years, Caste- Rathore, R/o Village- Sapiya, Chowki- Fagrum, Police Station- Dabra, District- Janjgir-Champa, Chhattisgarh.
2. Tarachand Rathore, S/o Late Ramnath Rathore, Aged About 57 Years, Caste- Rathore, R/o Village- Sapiya, Chowki- Fagrum, Police Station- Dabra, District- Janjgir-Champa, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Schedule Caste Schedule Tribe, Janjgir, District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant : Shri Malay Shrivastava, Advocate.
 For Respondent/State : Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****15.09.2017**

1. At the outset, learned counsel for the applicants would submit that the instant MCRC A may be disposed of as withdrawn.
2. As the applicants intends to surrender before the Concerned Court having jurisdiction and further intends to file an application and under appropriate provisions of Code of Criminal Procedure. He would further submits that the Court below having appropriate jurisdiction to grant remand and further proceedings may be directed to hear the matter and decide the application as early as possible preferably on the same day.
3. As prayed, the instant MCRC A is disposed of as withdrawn without any appreciation on its merits. It is directed that if the

applicants gives 3 days prior notice to the IO/SHO of Police Station Ajak Janjgir, Distt. Janjgir-Champa (C.G.) in connection with Crime No. 11/17 for offence under Section 452, 506 part ii, 323 & 34 of Indian Penal Code and appropriate provisions under the Schedule Caste and the Schedule Tribes, Prevention of Atrocities Act 1989, regarding their surrender before the Concerned Judicial Forum under the law having jurisdiction and also gives 3 days prior intimation to the Concerned Court having jurisdiction to remand/further proceedings and if the applicants thereafter, surrenders as per law and also files an application under the appropriate provisions of Code of Criminal Procedure, after completion of all formalities required under the law by the police and Concerned Court. The said application for release on bail under the appropriate provisions of law be disposed off as expeditiously as possible preferably on the same day.

4. The applicants may file the copy of the order before the Concerned Court for compliance.

5. Registrar Judicial is also directed to send the copy of the order to the Concerned Court having jurisdiction to remand and further proceedings through usual and facts mode.

6. Hence, the instant MCRCA is accordingly disposed of.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE