

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 761 of 2017

- Motilal Banjare S/o Baladram Banjare, Aged About 46 Years, R/o Madhuband Khurd, Police Station Sarsiwa, Tahsil Bilaigarh, Civil & Revenue District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Sarsiwa, Civil & Revenue District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Janak Ram Verma, Advocate.

For Non-applicant/State – Shri Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

22-09-2017

1. At the outset, learned counsel for the applicant would submit that instant MCRCA may be disposed of as withdrawn as the applicant intends to surrender before the concerned Court of Judicial Magistrate First Class having jurisdiction and further intends to file an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 As prayed, instant MCRCA is disposed of as withdrawn without any appreciation on its merit. It is directed that if the applicant gives three days prior notice to the IO/SHO of P.S. Sarsiwa, District Baloda Bazar-Bhatapara, C.G. in connection with Crime No.145/2017 for offence under Section 3, 7 of the Essential Commodities Act regarding his surrender before the concerned Judicial Magistrate having jurisdiction and also gives three days prior intimation to the concerned Judicial Magistrate having jurisdiction and if the applicant thereafter surrenders as per law and files an application under Section 437 of the Cr.P.C., then 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 copy of this order before the concerned Court for compliance.
4. Additional Registrar (Judicial) is also directed to send copy of the order to the concerned Court having jurisdiction through usual and fax mode.
5. MCRCA is accordingly disposed of.

Sd/-
(Chandra Bhushan Bajpai)
Judge