

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 810 of 2017

Dinesh Chouhan S/o Puni Ram Chouhan, Aged About 30 Years R/o Ram Nagar, Railway Colony, Korba, Police Station, Tahsil And District Korba Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Out Post Manikpur, District Korba Chhattisgarh.

---- Respondent

For applicant	Mr. Basant Kaiwartya, Adv.
For Respondent/State	Mr. Arvind Shukla, PL.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board

12-10-2017

- At the outset, learned counsel for the applicant submits that instant MCRCA may be disposed of as withdrawn as the applicant intends to surrender before the concerned court of Judicial Magistrate First Class having jurisdiction and further intends to file an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 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.
- As prayed, instant MCRCA is disposed of as withdrawn without any appreciation on its merit.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/incharge of out post Manikpur, Police Station Kotwali Distt. Korba in connection with Crime No. 529/2017 under Section 294, 323, 354 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012 regarding his surrender before the concerned Judicial Magistrate having jurisdiction and also gives 3 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 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 applicant himself 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