

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1325 of 2016**

Deepanker Mishtri S/o Sunil Mishtri Aged About 32 Years R/o Village P.
V. 36 Chandipur Police Station Pakhanjur Revenue & Civil District
North Bastar Kanker, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Gondahur, District
Kanker, Chhattisgarh.

---- Respondent

For applicant	Mr. P.K. Tulsiyan, Adv.
For Respondent/State	Mr. Vasim Miyan, Panel lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****11-7-2017**

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 At the outset learned counsel for the applicant would submit that instant MCRCA may be disposed of as withdrawn as the applicant intends to surrender before the concerned Court of Judicial Magistrate First Class having jurisdiction and further intends to file an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 As prayed, instant MCRCA is disposed of as withdrawn without any appreciation on its merit.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 PS Gondahur, Distt. North Bastar, Kanker in connection with Crime No. 4/2016, for offence under Section 307, 120B, 394, 397, 34 of the Indian Penal Code, 1860 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 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 copy of the order before the concerned Court for compliance.
4. Registrar Judicial is also directed to send copy of the order to the concerned Magistrate having jurisdiction through usual and fax mode.
5. MCRCA is accordingly disposed of.

Sd/-
(Chandra Bhushan Bajpai)
Judge