

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1384 of 2016

1. Sheetal Prasad Rathore S/o Late Dhansai Rathore, Aged About 78 Years, R/o Village Portha, Police Station Sakti, Tahsil Sakti, District Janjgir- Champa, Chhattisgarh.
2. Smt. Amrika Bai (wrongly written as Ambika Bai), Aged About 76 Years, W/o Sheetal Prasad Rathore, R/o Village Portha, Police Station Sakti. Tahsil Sakti, District Janjgir- Champa, Chhattisgarh.
3. Rajendra S/o Sheetal Prasad Rathore, Aged About 40 Years, R/o Village Harethi, Police Station Sakti, Tahsil Sakti, District Janjgir-Champa, Chhattisgarh.

---- Applicants

Versus

1. State of Chhattisgarh Through The District Magistrate, Janjgir, District Janjgir-Champa, Chhattisgarh.

---- Non-applicant

For Applicants – Shri Syed Majid Ali, Advocate.

For Non-applicant/State – Shri U.K.S.Chandel, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

19-04-2017

1. At the outset, learned counsel for the applicants would submit that the instant MCRCA may be disposed of without any appreciation on its merit. The applicants intend to surrender before the concerned criminal court with prior three days notice to SHO/IO/In-charge, as the case may be, of Police Station Sakti for their surrender before the concerned criminal court having jurisdiction and the court below having jurisdiction may be directed to dispose of the application under Section 437 of the Cr.P.C. filed as far as possible on same day on its merit.
2. As prayed, the instant MCRCA is disposed of as withdrawn without any appreciation on its merit. If the applicants give prior 3 days notice and information to the SHO/IO/In-Charge of Police Station Sakti, District Janjgir-Champa, C.G. regarding their surrender before the criminal court Sakti having

jurisdiction, the concerned police official shall produce the case diary and after completion of formalities of arrest as required and other proceeding if application under Section 437 of the Cr.P.C. is filed by the applicants before the court having jurisdiction, the court below shall dispose it of as expeditiously as possible preferably same day.

3. The MCRCA disposed of as withdrawn.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE