

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 566 of 2017**

Varun Chandra Madhani S/o Vijendra Madhani, Aged About 27 Years
R/o 304, Kripalaya Apartment Venkatpuram, Police Station Alwal,
District Cyberabad, State Telangana.

---- Applicant

Versus

State of Chhattisgarh through Police Station Tarbahar, District Bilaspur,
CG.

---- Respondent

For applicant	Mr. Avinash K. Mishra, Adv.
For Respondent/State	Mr. O.P. Sahu, GA

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****26-7-2017**

1. Heard on I.A. No. 1/2017 for urgent hearing.
2. Learned counsel for the applicant submits that the matter may be heard and disposed of today itself as the applicant intends to surrender before the trial Court having jurisdiction.
3. As prayed, I.A. No. 1/2017 is hereby allowed.
4. This is a repeat bail application filed by the applicant. Earlier MCRCA No. 1429/2016 was disposed of on 6-4-2016 after consideration of entire merit of the case.
5. Learned counsel for the applicant submits that instant MCRCA may be disposed of as withdrawn as the applicant intends to surrender before the concerned court of Judicial Magistrate First Class having jurisdiction and further intends to file an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.
6. As prayed, instant MCRCA is disposed of as withdrawn without any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 Police Station Tarbahar, Bilaspur (CG) in connection with Crime No. 280/2016 under Section 498-A, 34 of the IPC., Section 62, 72 of the Information and Technology Act and Section 3 and 4 of the Dowry Prohibition Act, 1961 regarding his surrender before the concerned Judicial Magistrate having jurisdiction and also give 3 days prior intimation to the concerned Judicial Magistrate having jurisdiction and if the applicant after surrender as per law file 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.

7. The applicant himself may file copy of the order before the concerned court for compliance. Registrar (Judicial) is also directed to send copy of the order to the concerned Magistrate having jurisdiction through fax and usual mode immediately.
8. MCRCA is accordingly disposed of.
9. Certified copy as per rules.

Sd/-
(Chandra Bhushan Bajpai)
Judge