

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 546 OF 2017
IN
CRIMINAL WRIT PETITION NO. 5284 OF 2017**

Rashid Shaukat Husain Sayed @ Jagga	...Applicant
Versus	
The State of Maharashtra & Ors.	...Respondents

Mr. Makrand Kale a/w Mr. A. A. Siddiquie i/b A. A. Siddiquie & Associates
for the Applicant

Ms. M. H. Mhatre, A.P.P for the Respondents-State

***CORAM : S. C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.
TUESDAY, 19th DECEMBER, 2017***

P.C. :

1. Not on Board. Taken on Board.

2. By this application, the applicant/petitioner seeks release from custody/detention, as the applicant/petitioner lost his mother. She expired on 18th December, 2017 and the applicant is required to attend the funeral. It is in this extreme urgency that the application is made seeking enlargement, if not on bail, but in these peculiar facts, release from custody, only to attend the funeral.

3. On such an application, we heard both sides and Mrs. Mhatre, learned A.P.P appearing for the State assures the Court that by today i.e. 19th December, 2017 afternoon itself, the jail authorities namely those in-charge of Nashik Central Prison, Nashik, would take a decision on the request of the applicant and enable him to attend the funeral by imposing appropriate conditions in order to ensure that he surrenders to custody after the ceremony is over. The statements are accepted as undertakings.

4. On such an assurance made by the learned A.P.P, given on instructions, we do not think that we should pass any orders on this application. The same stands disposed of.

SMT. BHARATI H. DANGRE, J.

S.C. DHARMADHIKARI, J.