

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1867 OF 2019

Anilkumar Sadashiv Mishra @ Anil Maharaj @

Anil @ Shalikaram

Petitioner

versus

The State of Maharashtra

Respondent

Mr.Prosper D'Souza for petitioner.

Mrs.P.P.Shinde, APP, for State.

CORAM : B.P.DHARMADHIKARI AND
PRAKASH D. NAIK, JJ.

DATE : 22nd April 2019

PC :

1. We are considering the matter since long as question is of depositing escort charges.

2. On last occasion this Court felt that if two police constables escort petitioner to the place of marriage in Uttar Pradesh and bring him back, that would be sufficient. As directed by this Court, learned APP has produced a communication sent by Senior Police Inspector which shows charges for two constables. The charges of two constables for five days work out to Rs.29,715/- and for two constables, for seven days are Rs.41,601/-.

3. Learned APP, however, upon instructions, states that as mentioned in the letter, the prisoner needs to be escorted by one Assistant Sub Inspector and three Police Constables. She informs that sending him with two police constables would not be safe for the prisoner himself and also for the society.

4. We have heard respective counsel. In this jurisdiction we cannot brush aside the submission that the prisoner needs to be escorted by one ASI and three Police Constables. Their charges for five days are worked out to Rs.90,000/-

5. The marriage of son of the prisoner-petitioner is scheduled on 29th May 2019 in a village of Jaunpur District of Uttar Pradesh. Hence, if the petitioner-prisoner arranges to deposit the amount as stated above, with the State Government/Jail Authorities for escort of one Assistant Sub Inspector and three Police Constables by 20th May 2019, the respondents shall provide him necessary escort for a period of five days or seven days as per the amount deposited by him. The spread of said period of seven days shall be before and after 29th May 2019 as per desire of petitioner.

6. The respondents shall also obtain necessary undertakings and bonds and impose suitable conditions including condition of attendance for the said purpose. The writ petition is, thus, partly allowed in above terms and disposed off.

(PRAKASH D. NAIK, J.)

(B.P.DHARMADHIKARI, J.)