

nsc.

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL BAIL APPLICATION NO.1787 OF 2019

Sundrasingh Prithvisinghpal Lingaval	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.J.J.Bardeskar, for the Applicant.

Mr.A.R.Kapadnis, A.P.P for the Respondent - State.

CORAM : REVATI MOHITE DERE, J.

DATE : 25th JUNE, 2019

P.C. :

Not on board. Taken on board.

1. Heard learned Counsel for the parties.
2. By this application, the Applicant seeks modification of the order dated 24th June, 2019, passed by the learned Sessions Judge, Greater Bombay.
3. Perused the papers. It is not in dispute that the applicant's

mother expired on 23rd June, 2019. It is also not in dispute that the applicant preferred an application seeking a direction to the Jail Superintendent to release the applicant with police escort to attend death (funeral) ceremony of his deceased mother. The learned Sessions Judge, vide order dated 24th June, 2019, directed that the applicant be taken for the funeral of his mother under police escort on payment of necessary charges.

4. Learned Counsel for the applicant submits that the applicant is not in a financial position to bear the costs of police escort.

5. Considering the urgency and in view of the peculiar facts and circumstances, the order dated 24th June, 2019, passed by the learned Sessions Judge, Greater Bombay, is modified.

6. Accordingly, the Bhandup Police Station, Mumbai, in co-ordination with the Superintendent of Arthur Road Jail, to take the applicant to Bhandup Cemetery tomorrow i.e. 26th June, 2019, at 11.00 a.m. for attending the death (funeral) ceremony of his mother, which is at 12.00 noon. After the funeral ceremony is performed, the applicant to be lodged

again in the Arthur Road Jail. In the peculiar facts of this case, the police escort charges to be borne by the State.

7. Learned APP to communicate the aforesaid order to the Police Inspector, Bhandup Police Station as well as Superintendent of Arthur Road Jail. Both the authorities to scrupulously adhere to the time, by ensuring that the applicant reaches the Bhandup Cemetery at 11.00 a.m.

8. Application is accordingly disposed of on the aforesaid terms.

9. Stand over to 27th June, 2019, for recording compliance.

10. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.