

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
WITH
CRIMINAL APPLICATION (APPA) NO.364 /2019
&
CRIMINAL APPLICATION (APPA) NO. /2019
IN
CRIMINAL APPEAL NO...../2019
(Imran s/o Yusuf Sheikh vs. State of Maharashtra Through PSO
Wardha, City, Wardha)

.....
Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

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Mr. A.M. Jaltare, Advocate for the appellant /applicant
Mrs.Mrunal Barabde, APP for respondentState

CORAM : **MRS.SWAPNA JOSHI, J.**

DATED : **2nd April, 2019.**

This is an Application seeking condonation of
delay of in filing the Appeal.

Heard both sides. Perused the contents of the
Application. On a perusal of the same, I am satisfied that the
delay is properly explained and sufficient ground is made out
for condoning the delay.

In view thereof, the delay in filing the Appeal is
condoned. The Criminal Application is allowed and disposed
of. The Appeal be registered.

CRIMINAL APPLICATION NO...../2019

This is an application seeking grant of interim bail or,
in the alternative, a direction to Superintendent, Central Jail,
Nagpur to provide police escort to applicant/ accused for
attending the last rites of his daughter, namely, Sk. Saniya, at

Wardha.

The appellant has filed the Appeal against the judgment and order dated 13.7.2018 passed by the Special Judge, (POCSO) Wardha convicting and sentencing him to suffer RI for a period of ten years and to pay a fine of Rs. 15,000/-in default to SI for six months. The applicant is at present languishing in jail.

Heard Mr. Jaltarte, learned counsel for the applicant as well as Ms.Barabde, learned APP for the respondentState. The learned counsel for the applicant contended that the daughter of the applicant, namely, Sk.Saniya, aged about 11 years, has met with an accidental death and her last rites are to be performed today, the 2nd April,2019, at Wardha.

In view of the above facts and circumstances and on humanitarian grounds, in my view, it would be just and proper to allow the applicant to perform the last rites in police escort. Hence the order.

ORDER:

(a) The Superintendent, Central Jail, Nagpur is directed to provide police escort to the accusedImran Yusuf Sheikh, for attending the last rites of his daughter at Wardha. The applicant be taken to Wardha under the police escort from Central Jail, Nagpur at 4.00 pm and he should be brought back to Nagpur Central Jail by 10.00 pm. today itself i.e. 2nd April,2019. Needles to mention, that the applicant shall bear necessary expenses towards to and fro charges.

(b) The learned APP to communicate this order to the concerned immediately.

(c) Hamdast granted. Steno copy allowed.

CRIMINAL APPEAL NO. _____/2019

Heard.

Admit.

Call R & P.

Mrs. Mrunal Barabde, learned APP waives notice
on behalf of the respondent.

JUDGE

Sahare