

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1267 OF 2024

Ajinkya @ Sayya Aadhav Shinde .. Petitioner
Versus
The State of Maharashtra & ors .. Respondents

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Mr.Siddharth N. Sutaria with Mr.Suyash Khose, Rohan Bhagat,
Abhishek Nandinath, and Tejas Pawar for the petitioner.
Mrs.M.M. Deshmukh, APP for the State.

CORAM:BHARATI DANGRE &
MANJUSHA DESHPANDE,JJ.
DATED : 30th JULY, 2024
(In Chamber)

P.C:-

1 The petitioner is a detenu, being detained under the provisions of Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug Offenders, Dangerous Persons and video pirates Act, 1981, vide order dated 28/12/2023. Presently, he is undergoing the detention in Nagpur Central Prison.

2 During the pendency of the writ petition challenging his detention, a praecipe is moved by Advocate for the petitioner, in the wake of the death of the petitioner's wife.

It is stated therein that the petitioner has received a message through the Superintendent of Prisons that his wife i.e. Prachi Ajinkya Shinde has expired on 29/7/2024 at Pune.

As her funeral is yet to be performed, the petitioner has made a request through the praecipe before us to release him for participating in the last rituals.

Upon receipt of the request, we called upon Mrs.Deshmukh to ascertain the veracity of the above, and she confirm the fact of death of his wife.

3 Considering the request of the petitioner, we deem it appropriate to direct the Superintendent, Nagpur Central Prison to release the present petitioner for a period of three days i.e. from 31/7/2024 to 2/8/2024 for the purpose of attending the funeral and the Prison Authorities shall, on receiving the message from learned APP Mrs. Deshmukh, representing the State, shall forthwith escort him to Pune where the last rites are being performed.

The police escort provided to the petitioner, shall accompany him to Pune and after performing the last rites tomorrow, the petitioner shall return with the escort from Pune to Nagpur and report to the Nagpur Central Prison on 2/8/2024 before 5.00 p.m and undergo the remaining part of his detention.

4 It is made clear that the petitioner shall not be charged for the escort, which is provided to the petitioner for the above purpose.

5 Compliance report to be submitted to this Court on the due date i.e. 6/8/2024.

Parties to act on an authenticated copy of this order.

(MANJUSHA DESHPANDE,J)

(BHARATI DANGRE, J.)