

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 453 OF 2016
IN
WRIT PETITION NO.3051 OF 2016

Suresh Rajpurohit and ors.

..Applicants/
Petitioners

Versus

The Union of India and anr.

..Respondents

Mr. Vikram Chaudhri, senior counsel along with Mr. Sanjay Agarwal, Mr. Sujay Kantawala and Mr. Yogesh Rohira, advocates for the applicants.
Mr. J. P. Yagnik, APP for the State.

CORAM : RANJIT MORE,
DR. SHALINI PHANSALKAR-
JOSHI, J J.

DATE : 23rd NOVEMBER, 2016.

P. C. :

Mr. Chaudhri, learned senior counsel, at the outset, makes a stated that respondent Nos. 1 and 2 are served by private notice and an acknowledgment to that effect is, accordingly, placed on record.

2. The application is filed for the following reliefs :-

“(i) To permit the Petitioners to accompany an Advocate at visible but not audible distance, during their interrogation by the officers of the Respondents, in accordance with the general direction given by the Hon'ble Supreme Court in the matter of Vijay Sajani Vs. Union of India in CrI.M.P.No.10117 of 2012 in WP(CrI.) No. 29 of 2012.”

3. The relief claimed in the present petition is fairly covered by the order of 3 Judge Bench Judgment passed CRL MP No.10117 of 2012 on 25th April, 2012. In similar circumstances, the Apex Court directed that the advocate of the petitioners should be allowed to be present during the interrogation of the petitioners. It was further directed that he/they should be made to sit at a distance beyond hearing range, but within visible distance and the lawyer must be prepared to be present whenever the petitioners are called upon to attend such interrogation.

2. In the light of above, this application is allowed in terms of prayer clause (i) and is disposed of as such.

(DR. SHALINI PHANSALKAR-JOSHI)

[RANJIT MORE, J.]