

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.4205 OF 2016

Vikas Singh and ors.

..Petitioners

Versus

The State of Maharashtra and anr.

..Respondents

Mr. Vikram Chaudhri, senior counsel along with Mr.H. K. Sudhakar, Mr.Sujay Kantawala and Ms.Neha Ahuja i/b. HKS Legal, advocates for the petitioners.

Mrs. A. S. Pai, APP for the State.

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

DATE : 5th DECEMBER, 2016.

P. C. :

Mentioned for production. Taken up on production board in view of urgency.

2. The writ petition is filed for the following relief :-

“(a) To direct the Respondent No.2 to permit the Petitioners to accompany an Advocate at visible but not audible distance, during their interrogation by the officers of the Respondents in F.I.R.No.78/16(C.R.No.32 of 2016)”

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 petition is allowed in terms of prayer clause (a) and is disposed of as such.

(DR. SHALINI PHANSALKAR-JOSHI)

[RANJIT MORE, J.]