

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

CRIMINAL WRIT PETITION NO. 1664 OF 2017

Rakesh Natwarlal Patel

..Petitioner

v/s.

Directorate Enforcement & Anr.

..Respondents

Mr. Vikram Choudhary, Sr. Advocate, Mr. Sujay Kantawala, Neha Ahuja, Mr. S. Agarwal a/w. Yogesh Rohira i/b. H.K.S.Legal for the Petitioner.

Mr. H.S.Venegaaaonkar for the Respondent No.1.

Ms.S.D.Shinde, APP for the State.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
DATED : 19th APRIL, 2017.**

P.C.

1. Not on board. On production, taken on board.
2. Heard. The petition is filed for the following reliefs:
 - (a) Issue appropriate directions to the Respondent to allow the presence of the petitioner's Advocate at a visible, but not audible distance during the course of interrogation and/or recording of the statement of the petitioner in case arising out of MBZO-I/01/2017,

wherein the petitioner is summoned by the respondent.

3. The relief claimed in the present petition is fairly covered by the order of 3 Judge Bench Judgment passed in 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.
4. Mr. Venegavkar, learned Counsel for the Respondent no.1 submits that the principle laid down in the aforesaid judgment would be scrupulously followed. Statement accepted.
5. In the light of the above statement, petition stands disposed of.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)