

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2174 of 2022

Rakesh Shrinath Dubey .. Applicant
Versus
The State of Maharashtra .. Respondent
...

Mr. Aniket Nikam i/b Amit Ichan for the applicant.
Ms.Archana Khan with Parth Vyas and Suraj Iyer for the intervenor.
Ms.Veera Shinde, APP for the State.
PI Sandip Patil from Khar police station.

CORAM: BHARATI DANGRE, J.
DATED : 12th SEPTEMBER, 2022

P.C:-

1 On 18/8/2022, recording a prima facie case in favour of the applicant who is a lawyer by profession, he was admitted to protection from arrest. He has reported to the police station as directed.

2 The learned APP state that the Accused no.1 is not coming forward and his custodial interrogation is very much necessary as he is the kingpin of the entire episode. That may be so, but as far as the present applicant is concerned, since one lady who was introduced to him as 'Pushpa Gidwani' and he

established contact with her at the say of the Panel members in order to affirm consent before the National Lok Adalat and the same lady appearing on a video call. I do not think that as a Profession, he was required to do something more. He received the vakalatnama signed by the lady impersonating herself as Pushpa Gidwani and even the Court has recorded her presence before it on 9/3/2020, her presence was recorded along with the present applicant representing her as an Advocate. On 12/12/2020, in order to confirm the veracity of the consent terms, the Advocate was asked to make a video call, which he did on the number provided to him and the lady who had appeared and engaged him, appeared on the Whatsapp video call. Even the Panel Members accepted her presence as Pushpa Gidwani and recorded the consent terms. Subsequently, it was realized that real Pushpa Gidwani was away in Pune and had never signed the consent terms.

In this scenario, I do not think that the role of the applicant as lawyer goes beyond this. The order dated 18/8/2022 is therefore confirmed.

The applicant no doubt shall continue to render his co-operation.

(SMT. BHARATI DANGRE, J.)