



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

128

CWP-24051-2024 (O&M)

Date of decision: 19.09.2024

Sourav

...Petitioner

VERSUS

Union of India and others

...Respondents

**CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present :- Mr. Jasinder S. Sekhon, Advocate for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India with  
Mr. Gourav Pathak, Senior Panel Counsel,  
for the respondents.

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**VINOD S. BHARDWAJ, J. (Oral)**

1. Prayer in the petition is only to the extent of permitting the petitioner to be accompanied by an Advocate to the office of the National Investigating Agency (NIA) on the date when the inquiry/investigation is to be conducted.

2. Learned counsel for the petitioner contends that the petitioner does not seek a prayer about the Advocate being present during the questioning/interrogation by the NIA. Reliance is placed on the judgment passed by the Hon'ble Supreme Court in the matter of **Birendra Kumar Pandey and another Vs. Union of India and another** reported as **2023 SCC Online SC1552**.

3. Learned Additional Solicitor General of India contends that they would have no objection to the presence of the Advocate in the office of the NIA in terms of the judgment passed by the Hon'ble Supreme Court in the matter of **Birendra Kumar Pandey and another** (supra).



4. The petition is accordingly **disposed of**. The petitioner would be permitted to take along his Advocate on the date when he is summoned by the NIA for questioning. The respondent-Agency shall allow the Advocate of the petitioner to remain present in their office during the time when the petitioner is questioned and take all appropriate steps for compliance of the directions issued by the Hon’ble Supreme Court in the matter of **Birendra Kumar Pandey and another** (supra).

(VINOD S. BHARDWAJ)  
JUDGE

**19.09.2024**  
*Mangal Singh*

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No