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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO.3093 OF 2025**

Dhiren Sushil Roy

... Petitioner

V/s.

Cyber Police Station & Ors

... Respondents

Mr. Abhijeet P. Rane a/w Adv. Swarta Suryawanshi for the Petitioner.

Mr. Atul Mishra, present-in-person.

Mr. Shrikant V. Gavand, A.P.P. for Respondent-State.

Mr. Subodh Desai, Senior Advocate a/w Mr. Gaurav Thakur & Ms. Aditi Kambli i/b A.S. Dayal & Associates for Respondent No.2.

Dr. Abhinav Chandrachud a/w Mr. Vikram Trivedi, Mr. Rashid Boatwalla, Ms.Lipsa Unadkat Ms. Dhamini Nagpal and Mr. Pranav Kethineni i/b Manilal Kher Ambalal & Co. for Respondent No.3-(ICICI Bank).

Mr. Vishal Tambat a/w Ms. Chaitali Bhogle and Mr. Rishabh Tiwari for Respondent No.4.

Mr. Girish Kulkarni, Senior Advocate a/w Mr. Aditya Mehta i/b Adv. Mandar Lalsare and Regional Head Kotak Bank Mr. Rajit Sethi for Respondent No. 5.

Mr. Prashant A. Nakati for Respondent No.6.

Ms. Vaishali Bhilare for Respondent No.7.

Adv. Oduvil Mohandas a/w Adv. Ashwin Nair, Mr. J.P. Kapadia i/b Little & Co. for Respondent No.8-RBI.

Mr. Santosh Patil, General Manager and Mr. Rakesh Prajapati, Nodal Officer for Jio, present.

Mr. Ramsahay Prajapati, Branch Manager ICICI Bank, Wadala Branch, Mumbai, present.

Mr. Ranjit, Branch Manager, Matunga Bazar and Mr. Pulkit Kanojia, Manager (Law), present.

Mr. Javed Akthar, Regional Head and Mr. Shekhar Shinde, FCPG Manager, present.

Mr. Chimaji Adhav, Sr.P.I. Cyber Police Station, Mumbai, present.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 30th SEPTEMBER, 2026

P.C. :

1) In furtherance of Order dated 28th September, 2026 and as per the directions issued in paragraph No.18 thereof, all the Regional Heads of Respondent Nos.3 to 7-Banks are personally present in the Court.

2) Learned counsel appearing for Respondents No.3 to 7, on instructions, submitted that their concerned Officers will extend all the necessary assistance to the investigating agency as may be required for the purpose of investigation of CR No.211 of 2024, registered with Cyber Police Station, Central Department, Worli, Mumbai. The learned Counsel also assured this Court that, their Officers would appear before the investigating Officer of the said crime at the designated place, time and date, when called.

3) Dr. Chandrachud, learned counsel appearing for the Respondent No.3, on instructions, submitted that, Mr. Ramsahay Prajapati, Branch Manager ICICI Bank, Wadala Branch, Mumbai, will appear before investigating Officer Cyber Police Station, Central Department, Worli,

Mumbai tomorrow i.e. on 1st October, 2026 at 11:00 a.m. along-with the entire record necessary for the purpose of recording the statement(s) of the concerned bank Officer(s) under Section 161 of the Criminal Procedure Code, 1973/Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

3.1) Learned A.P.P. on instructions from investigating Officer submitted that, let the Officers of Respondent Nos.4 and 5 appear before the concerned investigating Officer tomorrow i.e. on 1st October, 2026 at 01:00 p.m. and 3:00 p.m. respectively. Learned Advocates for the said Respondents accede to the said request.

3.2) Likewise, the learned Advocates for the Respondent Nos.6 and 7 submitted that, their Officers will appear before the investigating Officer on 2nd October, 2026, at 11:00 a.m. and 1:00 p.m. respectively.

3.3) All the above statements made by the learned Advocates for the respective parties are accepted.

4) As regards the statements made by Advocate Mr. Atul Mishra and recorded in paragraph 17.2 of the Order dated 28th September, 2026, is concerned, Mr. Mishra, tendered across the bar, his Affidavit dated 29th September, 2026. The unconditional apology tendered by him and the statements made therein, are accepted. The said Affidavit is taken on record and marked as 'X' for identification purpose.

5) Mr. Kulkarni, learned Senior Advocate appearing for the Respondent No.5, submitted that, the conduct of Advocate Mr. Mandar

Lalsare, be pardoned and the observations made against him in paragraph Nos.11, 13, 14, 15 and 17.1 of Order dated 28th September, 2026, be expunged from record and his case not be referred to the Bar Council of Maharashtra and Goa, for necessary action.

5.1) We are unable to accede to the request of Mr. Kulkarni, learned Senior Advocate. In the recent times we have observed a rising trend amongst Advocates to willfully and contumaciously disregard or blatantly disobey the Orders of this Court or to mislead it and thereby undermine the Authority of the Court.

6) It appears to us that, the Advocates carry a perception that they could willfully disregard or disobey the Court orders and get away with it by offering some excuse or the other and if caught and faced with the ire of the Court, tender an unconditional apology either by themselves or through a Senior Counsel. Courts have, until now, time and again been large hearted and forgiven such acts. Such leniency over the years has emboldened the said Advocates to treat the orders of the Court casually, wholly undermining its authority. It is high time this has to be stopped, as we see both Advocates, their clients, officers of the governmental institutions and even public at large taking orders lightly. In the recent past we have seen an act of misbehavior even by a judicial Officer who appeared in Court.

7) We find it imperative to arrest this decline and prevent the authority of Courts being trampled by unscrupulous litigants and Advocates

who have scant respect for the Court proceedings.

8) We now place the onus and responsibility on the Bar Council of Maharashtra and Goa to help to weed out such Advocates by taking very stern action against them to send out a strong message to its members and to uphold the dignity of the Court.

9) At the request of learned A.P.P., stand over to 14th October, 2026.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)