



District Bar Association Chandigarh



DISTRICT COURTS COMPLEX, SEC. 43, CHANDIGARH

REF. No. /1166/2022

DATED 18-10-2022

RESOLUTION

In an unfortunate, unprecedented and illegal manner the National Investigation Team (NIA) today raided the office-cum-residence of Dr. Shelly Sharma, Advocate with the sole motive of obstructing her from discharging her professional duties. An advocate is an integral part of the legal process and described as an "officer of the Court" and interference in the working of a Counsel tantamount to direct unwarranted intervention in the working of the process of the Court. Such act on the part of the NIA reminds us of the colonial days when lawyers who were fighting for cause of justice were targeted. Sadly, the same tactics seems to have come back again.

Since, the NIA and such other investigating agencies have ignored and overlooked the mandate of law, through this representation, we may point out to you that as per the mandate of Section 126 of the Indian Evidence Act which provides immunity to any barrister, attorney, pleader or *vakil* from disclosing any communication or details exchanged with their client. Such privileged communications which cannot be considered in evidence in a Court of law cannot be made subject to scrutiny and available as a tool with the investigating agencies to justify their acts of harassment and targeting of lawyers and this staff.

In today's raid also the NIA as per their memo confiscated the mobile phones of the lawyer on the pretext that her clients used to contact



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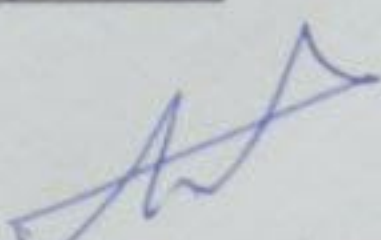
DATED 18-10-2022

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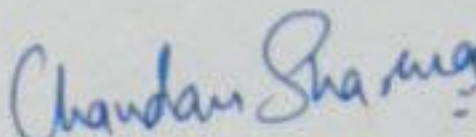
her on the said mobile numbers. The privileged communications and documents made available to a lawyer by his/her client cannot be allowed to be left to the scrutiny of the investigating agency.

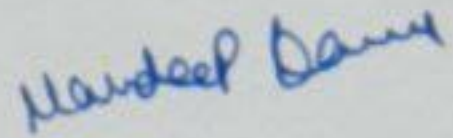
Thus, while recording a strong condemnation it is stated the illegality committed needs to be corrected immediately and the phones taken in custody may be ordered to be released forthwith and since there is no justification in conduct of such a raid, the lawyer concerned must be given an unconditional exoneration and till the aforementioned demands are not accepted, District Bar Association, Chandigarh in solidarity while condemning such abuse of power will abstain from work with immediate effect indefinitely. The matter shall be considered by the Association again on 20.10.2022 at 1 PM, till then work shall remain suspended.


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