

News

Boundaries and briefs: The Supreme Court chastises a female attorney for having a close relationship with a divorce client



Her behavior as an advocate was questioned by the court, particularly when she assisted the man in getting a divorce.

The Supreme Court recently asked a female attorney who had developed a close relationship with a man who had come to her for guidance on his divorce case, "Why did you get into this mess?"

As an advocate, the woman should have kept professional boundaries with her client, especially because his divorce was still pending, according to a bench of Justices BV Nagarathna and R Mahadevan.

The 36-year-old lady, a practicing attorney, was questioned by the court about why she had a personal contact with her own client.

She is an advocate. The petitioner's divorce case is being handled by her. What made you do that? This is not what we anticipated," the Court stated.

The Court pointed out that it didn't really matter if she served as his legal counsel while getting personally involved, notwithstanding her insistence that she had merely "guided" him and never made an official appearance.

In a case brought by the lady who had been defending him in his marital conflict prior to their romantic relationship, the court was considering the man's request for anticipatory bail.

Advocate Rishi Malhotra, who represented the petitioner, claimed that the complainant, a practicing attorney, had filed "four identical cases" of sexual assault against several accused individuals and that the Bombay High Court had even ordered an investigation into her behavior.

After noting the complainant's professional experience, **Justice Nagarathna** questioned how an advocate could act improperly when assisting a client in a divorce dispute.

She ought to have realized that he cannot marry your party until he receives a divorce judgment. She is not a typical, ignorant, or gullible person. She is an advocate. The petitioner's divorce case is being handled by her. Why did you act in that way? Justice Nagarathna inquired.

The female advocate directly stepped in at this time.

"No, I wasn't working on his case. He came to me simply for advice. I never showed up for him. I never took any cases or represented anyone," she remarked.

But the Court did not change its mind.

The judge noted that the lady's counsel's attempt to portray the petitioner—who is currently in London—as absconding was untenable because the guy had been living overseas for a considerable amount of time prior to the dispute. Additionally, the Court dismissed arguments that the man should be labeled a proclaimed offender.

"He hasn't even participated in the investigation... The respondent lawyer stated, "It was a romantic relationship; I am unable to attest to what had happened between the lovers."

While preventing the man from being arrested, the bench declared, "No coercive steps."

The Court then stated that it would not take the respondent's claims at face value and requested that she submit a thorough affidavit outlining her version of events.

"Give your client advice. Leave this disaster behind. The bench said, "Let her focus on her career."

The charge sheet had already been filed, and the petitioner had indicated that they would be eager to assist with the inquiry once they arrived in India, the statement continued.

The next hearing on the issue is scheduled on December 12.