

Need for an advocate protection act in India

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Abstract

The legal profession is a vital pillar of justice and the rule of law. Advocates safeguard constitutional values, defend human rights, and ensure that every person receives a fair trial, regardless of the accusations they face or the advocate's personal beliefs. For courts to function effectively, advocates must be able to carry out their duties independently and without fear of retaliation.

However, advocates in India increasingly face criminal intimidation, physical assault, harassment, and, in some tragic cases, targeted killings while performing their professional duties. These attacks do more than harm individual lawyers: they threaten judicial independence, weaken public confidence in the legal system, and hinder access to justice for vulnerable people. While several states, including Rajasthan, Karnataka, and Telangana, have introduced or enacted laws to protect advocates, protections remain fragmented and inconsistent across the country. There is no comprehensive central legislation addressing the safety and security of legal practitioners nationwide.

This paper employs a doctrinal and analytical approach, reviewing constitutional provisions, statutory law, scholarly literature, state enactments, and selected case studies that illustrate the scope and impact of attacks on advocates. The study finds that existing legal measures are insufficient to guarantee consistent protection, and it argues for the passage of a Central Advocates Protection Act to provide uniform, effective safeguards. Protecting advocates is not merely a professional concern; it is a constitutional imperative essential to preserve the dignity of the legal profession and to ensure that justice is administered fearlessly, fairly, and effectively.

Keywords: Advocates; Criminal Intimidation; Violence Against Advocates; Advocates Protection Act; Uniform Protection Law; Rule of Law; Legal Profession; Judicial Independence; Access to Justice.

INTRODUCTION

(a) Role of Advocates

Advocates are a cornerstone of the justice system and play a crucial role in protecting the rule of law in a democratic society. The legal profession is not just a job; it is a public service committed to securing justice, defending constitutional values, and protecting individual rights. The Advocates Act, 1961 recognises advocates as qualified legal professionals who represent clients before courts, tribunals, and other judicial bodies.

As officers of the court, advocates act as a vital link between the judiciary and the public. Their main duty is to assist the court in administering justice while safeguarding their clients' legal rights and interests. Advocates ensure that every person—regardless of social status, economic background, religion, or public opinion—gets a fair chance to present their case before an impartial tribunal.

A central ethical duty of an advocate is to represent clients without fear, favour, or prejudice. Even when a client faces serious or unpopular allegations, an advocate must provide competent legal representation. This duty does not imply personal approval of the client's conduct; instead, it upholds the constitutional promise of a fair trial and the principle that everyone deserves legal defence. By carrying out their work

independently and fearlessly, advocates strengthen public trust in the judiciary and reinforce the principles of natural justice.

(b) Problems Faced by Advocates

Despite their indispensable role, advocates in India are facing growing dangers while performing their professional duties. Many suffer criminal intimidation, harassment, physical assault, false complaints, and, in extreme cases, targeted killings connected to the cases they handle. Often, dissatisfied litigants, influential individuals, organised criminal groups, or parties unhappy with court outcomes resort to violence against advocates instead of accepting judicial decisions. Such attacks not only put advocates' lives at risk but also threaten judicial independence and erode public confidence in the justice system.

Recent incidents underline how serious the problem has become. In February 2026, senior advocate Subhash Chandra Mishra of Uttar Pradesh was beaten to death after a favourable land dispute judgment. The same month saw advocate Sanjay Kumar Saxena of Madhya Pradesh shot dead after representing a client in another land dispute. In April 2026, advocate Madhu Rajput of New Delhi survived a brutal sword attack allegedly linked to ongoing matrimonial litigation. In May 2026, senior High Court advocate Khaja Moizuddin of Telangana was assassinated while pursuing proceedings related to alleged illegal Waqf land encroachments. These episodes show that advocates are being targeted for carrying out professional duties, not because of personal quarrels.

Although general criminal statutes penalise intimidation, assault, and murder, advocates frequently report inadequate preventive protection even after receiving threats. The lack of a specialised legal framework to address attacks tied specifically to professional duties has fuelled calls for a comprehensive Advocates Protection Act, aimed at enabling advocates to perform their roles independently, fearlessly, and without undue interference.

(c) Present Legal Position

Currently, India lacks a comprehensive Central Advocates Protection Act designed specifically to shield advocates while they perform professional duties. General offences such as criminal intimidation, assault, attempt to murder, and murder are covered under the Bharatiya Nyaya Sanhita, 2023 and other criminal laws, but these provisions are generic—they apply to all citizens and do not address attacks arising uniquely from an advocate's professional work.

For years, members of the legal community have urged the enactment of a dedicated Advocates Protection Act to provide stronger security and institutional safeguards. Some states, including Rajasthan, Karnataka, and Telangana, have enacted or proposed laws aimed at protecting advocates, but no uniform central legislation exists to ensure consistent protection nationwide. This gap has produced uneven levels of safety across different states.

Given the rising number of attacks on advocates and sustained demands from Bar Associations across India, it is timely and necessary to examine whether a comprehensive Central Advocates Protection Act should be enacted. Such a law would aim to protect advocates, reinforce the independence and dignity of the profession, and strengthen the administration of justice.

Research Questions

The present research seeks to examine the following questions:

1. How do threats, assaults, and targeted attacks on advocates affect the administration of justice and the rule of law?
2. Is there a need for a Central Advocates Protection Act in India?

Literature review

The existing literature on protecting advocates in India is relatively limited. Most scholarship focuses either on the advocate's role in the administration of justice or on general calls for greater legal protection of the profession. Comprehensive studies that analyse recent attacks on advocates, the lack of a Central Advocates Protection Act, and the need for a uniform national legislative framework are still scarce.

In "Law for the Protection of Advocates: A Need of the Time" (2023), Ashutosh Bairagi stresses that advocates are indispensable to the administration of justice and the defence of constitutional values. Bairagi documents rising incidents of violence, harassment, and intimidation against lawyers, and argues that these attacks endanger the independence of the legal profession and the rule of law. He calls for a dedicated legal framework to secure the safety of advocates and their families.

Likewise, "The Role of Advocates in Upholding the Principles of Justice in Judicial Institutions" (2025) reiterates the crucial function advocates perform in ensuring fair trials, protecting legal rights, and maintaining the rule of law. The authors underline that advocates must be able to carry out their duties independently and without fear, whatever the nature of the cases they handle, because effective legal representation is fundamental to a functioning justice delivery system.

While these works offer important insights, neither provides a thorough examination of recent assaults and murders of advocates in India, the practical weaknesses of the current legal framework, the absence of an official national database on crimes targeting advocates, or the pressing need for a uniform Central Advocates Protection Act. This research aims to fill those gaps by analysing recent case studies, the present legal position, State-level protection measures, and the rationale for comprehensive central legislation.

Methodology

The present study uses a combination of empirical and doctrinal research methods.

The empirical component rests on two structured surveys carried out among practising advocates, law students, and other members of the legal community. The first survey explored public and professional perceptions about advocates: their duty to represent every accused person regardless of personal beliefs, and the importance of ensuring a fair trial even amid public hostility or adverse social opinion. Responses showed that advocates view legal representation as a constitutional and professional duty, not an endorsement of a client's conduct. Despite this commitment, advocates face recurring professional hazards—criminal intimidation, threats, harassment, physical attacks, and pressure to withdraw from cases. The second survey probed these specific problems and asked respondents whether a Central Advocates Protection Act is necessary. Together, the two surveys were analysed to identify common concerns about advocates' role, independence, and safety in India.

The doctrinal component draws on primary and secondary legal sources. These include the Advocates Act, 1961; the proposed Central Advocates Protection Bill; state statutes such as the Rajasthan Advocates Protection Act, 2023, the Karnataka Advocates Protection Act, and the Telangana Advocates Protection Act, 2026; as well as relevant journal articles, legal commentaries, case studies, and recent news reports documenting attacks on advocates.

This research is both descriptive and analytical. It examines the indispensable role of advocates in the justice delivery system, analyses recent incidents of criminal intimidation, assault, and murder of advocates, evaluates shortcomings in the current legal framework, and argues the case for a uniform Central Advocates Protection Act to safeguard advocates across India.

Main analysis

a. Role of Advocates in the Administration of Justice

Advocates form a foundational pillar of the justice delivery system. They play a crucial role in upholding the rule of law, protecting constitutional rights, and ensuring access to justice for all. As officers of the court, advocates assist in the administration of justice by representing parties, presenting legal arguments, and ensuring that every individual is given a fair opportunity to be heard. Their professional duty is not to endorse a client's actions but to secure that justice is delivered through due process and a fair trial.

The first survey conducted for this study found that most respondents believe every accused person—regardless of the seriousness or nature of the offence—has a right to legal representation. Respondents emphasised that advocates must fulfil this duty even when their personal beliefs conflict with those of their clients, because effective and impartial representation is essential to the administration of justice.

The second survey reinforces this principle. A majority of respondents indicated they would continue to represent clients despite facing pressure, threats, intimidation, or attempts to influence them through bribery. These results show that advocates remain committed to the rule of law and the administration of justice even under difficult and risky circumstances. For this reason, protecting advocates goes beyond defending a single profession: it is necessary to preserve the integrity and effectiveness of the entire justice delivery system.

b. Constitutional Protection of an Independent Legal Profession

An independent legal profession is essential to preserving constitutional democracy, the rule of law, and the fair administration of justice. While the Constitution of India does not expressly create a separate right specifically for the protection of advocates, several constitutional guarantees underscore the importance of fair legal representation and access to justice.

Article 14 guarantees equality before the law and equal protection of the laws, and Article 21 secures the right to life and personal liberty—rights that courts have interpreted to include the entitlement to a fair trial and effective legal counsel. The Advocates Act, 1961 recognises advocates as officers of the court and regulates the profession to promote fair and independent administration of justice.

The independence of advocates is central to the justice delivery system. If advocates cannot perform their duties because of fear, intimidation, or violence, the constitutional promise of a fair trial is jeopardised. Ensuring the safety and independence of the legal profession is therefore crucial for protecting the rule of law and maintaining public confidence in the judiciary.

c. Increasing Violence Against Advocates in Difficult Cases

The empirical findings of this study reveal a troubling contradiction within the justice delivery system. The first survey shows that most respondents believe every accused person is entitled to legal representation, regardless of the nature of the offence or the advocate's personal views. Respondents viewed fair representation as integral to the rule of law and the administration of justice. The second survey confirms this commitment: most respondents said they would continue representing clients even when facing threats, intimidation, harassment, or offers of bribery. These responses demonstrate the legal profession's steadfast dedication to justice, even under adverse conditions.

Yet despite this commitment, advocates are increasingly becoming targets of retaliatory violence linked to the duties they perform. The following selected case studies illustrate the scale and variety of threats faced by legal professionals.

Selected Case Studies :

- ***The Sanjay Kumar Saxena Murder Case (Madhya Pradesh, 2026)***: Advocate Sanjay Kumar Saxena was murdered after successfully representing his client in a land dispute. The case highlights advocates' vulnerability to retaliatory violence stemming from professional representation.
- ***The Khaja Moizuddin Assassination Case (Telangana, 2026)***: Senior Advocate Khaja Moizuddin was assassinated for pursuing cases related to alleged illegal Waqf land encroachments. The incident demonstrates the risks faced by advocates handling influential land and property disputes.
- ***The Subhash Chandra Mishra Murder Case (Uttar Pradesh, 2026)***: Advocate Subhash Chandra Mishra was attacked and killed after obtaining a favourable judgment in a land dispute. The case reflects how successful legal advocacy can trigger violent retaliation from aggrieved parties.
- ***The Attempted Assassination of Advocate Madhu Rajput (New Delhi, 2026)***: Advocate Madhu Rajput survived a brutal sword attack allegedly connected with ongoing matrimonial litigation. The incident illustrates the serious security threats advocates may face while handling contentious matters.
- ***The Rajeev Singh Assassination Case (Uttar Pradesh, 2026)***: Advocate Rajeev Singh was shot dead after receiving prior threats in connection with property-related litigation, highlighting the need for effective protection where advocates face identifiable professional risks.
- ***The Dilip Panda Assassination Case (Odisha, 2025)***: Senior Advocate Dilip Panda was assassinated near his residence, allegedly in retaliation for his legal work, prompting protests by the legal fraternity and renewed concern over advocates' safety.
- ***The Advocate Farooq Courtroom Office Shooting Case (Uttar Pradesh, 2026)***: Advocate Farooq was shot dead inside a government office, showing that advocates may be targeted even within official premises.
- ***The Virender Kumar Narwal Case (Delhi, 2023)***: Advocate Virender Kumar Narwal was allegedly targeted because of his legal representation in a land compensation dispute, illustrating the risk of retaliation against advocates for performing professional duties.
- ***The Manoj Chowdhary Courtroom Chamber Shooting Case (Uttar Pradesh, 2023)***: Advocate Manoj Chowdhary was shot dead inside his chamber at the court complex, highlighting that advocates may face violence even within judicial premises.
- ***The Shahid Azmi Case (Maharashtra, 2010)***: Advocate Shahid Azmi was assassinated because of his work as a criminal defence lawyer in high-profile terrorism cases, demonstrating the grave risks faced by advocates handling sensitive matters.

Other reported cases of violence against advocates include:

- Iqbal Singh Dhaliwal Case – Punjab (29 June 2026)
- Gurdeep Singh & Ajay Case – Punjab (11 June 2026)
- Simranjit Singh Case – Punjab (30 May 2026)
- Gagandeep Jammu Case – Punjab (18 May 2026)
- Lakhwinder Singh Case – Punjab (21 July 2025)
- Jitender Soni Case – Rajasthan (12 August 2024)
- Saran District Court (Ram Kumar & Son) Case – Bihar (12 June 2024)
- Naveen Sharma Case – Delhi (19 May 2024)
- Pawan Bhardwaj House Attack Case – Delhi (22 March 2024)

- Umesh Pal Case – Uttar Pradesh (24 February 2023)
- Bhupendra Singh Case – Uttar Pradesh (18 October 2021)
- Gattu Vaman Rao Case – Telangana (17 February 2021)
- Darvesh Yadav Case – Uttar Pradesh (12 June 2019)
- C. Murugesan Case – Tamil Nadu (5 January 2017)
- T. G. Mani Case – Kerala (14 September 2016)
- Vinayak Baliga Case – Karnataka (21 March 2016)
- Sukhmanpreet Singh (Sippy Sidhu) Case – Punjab (20 September 2015)
- Srinivasan Case – Tamil Nadu (20 March 2014)
- Amarpreet Singh Sethi Case – Punjab (27 February 2013)
- K. Natarajan Case – Tamil Nadu (11 July 2008)
- Pratap Narayan Singh Case – Uttar Pradesh (14 September 1961)
- The cases discussed above are illustrative and not exhaustive. They represent selected landmark and widely reported incidents collected for this study. The actual number of attacks on advocates cannot be conclusively determined due to the absence of a comprehensive official national database.

d. Findings from Comparative State Legislations

The study finds that the introduction of State-level Advocate Protection laws has mostly come in response to serious incidents of violence against advocates, rather than as part of a proactive legislative policy. The Rajasthan Advocate Protection Act, 2023 was enacted after the murder of advocate Jugraaj Singh in Jodhpur in February 2023, following widespread protests by the legal fraternity. The Act provides protection against assault, coercion, intimidation, and other forms of violence arising out of professional duties. It also includes provisions relating to police protection, punishment for offenders, action against false complaints, and safeguards against misuse of the Act.

In a similar way, the Karnataka Advocate Protection Act created a legal framework intended to protect advocates from violence, intimidation, and interference while they discharge their professional responsibilities. Its purpose is broadly the same as the legislation enacted in Rajasthan and Telangana.

The Telangana Advocate Protection Act, 2026 was enacted after years of demands from advocates, especially following several incidents of violence, including the 2021 murders of advocates Gattu Vaman Rao and P. V. Nagamani. The Act aims to protect advocates from violence, threats, harassment, and intimidation during the course of legal practice. It also provides a wider framework for police protection in situations where advocates face credible threats while performing their professional duties.

These State enactments show that violence against advocates is not an isolated problem but a recurring concern in different parts of India. However, the absence of a uniform Central Advocate Protection Act has resulted in unequal protection for advocates across States, which reinforces the need for comprehensive central legislation to ensure equal protection for all advocates in India.

e. Overall Findings of the Study

The study concludes that advocates play an indispensable role in the administration of justice by ensuring fair trials, protecting constitutional rights, and upholding the rule of law, even when they represent unpopular or accused persons. However, the survey findings, case studies, and legislative analysis together reveal that advocates increasingly face intimidation, threats, assaults, harassment, and even murder in connection with their professional duties. Although States such as Rajasthan, Karnataka, and Telangana have enacted Advocate Protection laws, India still does not have a uniform Central Advocate Protection

Act. The findings therefore establish that comprehensive national legislation is necessary to provide equal protection to advocates across the country, strengthen the justice delivery system, and preserve the independence of the legal profession.

f. Future Implications and Policy Recommendation

The findings of this study suggest that delaying a uniform Central Advocate Protection Act may have a harmful impact on the independence of the legal profession and the effective administration of justice. A comprehensive Central law should provide protection against profession-related violence, intimidation, harassment, coercion, and false complaints, along with provisions for immediate police protection, speedy investigation, and strict punishment for offenders. Such a law would not give special privileges to advocates; instead, it would ensure that they can perform their constitutional and professional duties without fear or undue influence, thereby strengthening public confidence in the justice delivery system.

Findings

The present study led to the following findings:

Advocates are indispensable to the administration of justice. They ensure fair trials, protect constitutional rights, and uphold the rule of law by representing parties without being influenced by their personal beliefs. The empirical survey indicates that most respondents believe every accused person has the right to legal representation, irrespective of the nature of the offence. The survey also revealed that advocates consider fair representation a professional and constitutional duty.

The survey further shows that advocates are willing to continue representing their clients despite threats, intimidation, harassment, public hostility, or attempts to influence them through bribery. This reflects the legal profession's commitment to justice and ethical practice.

The case studies examined in this research demonstrate an increasing pattern of violence against advocates, including criminal intimidation, physical assaults, attempted murders, and murders arising from their professional duties.

The research found that there is no comprehensive official national database recording crimes against advocates, making it difficult to determine the actual extent of profession-related violence across India.

Although Rajasthan, Karnataka, and Telangana have enacted Advocate Protection laws, there is no uniform Central Advocate Protection Act. As a result, advocates receive different levels of legal protection depending on the State in which they practise.

The study concludes that a comprehensive Central Advocate Protection Act is necessary to protect advocates from profession-related violence, strengthen the independence of the legal profession, and ensure the effective administration of justice throughout India

Conclusion

The legal profession stands as a cornerstone of the justice delivery system, with advocates playing an essential role in defending constitutional values, protecting individual rights, and ensuring access to justice. Advocates are professionally obligated to represent clients fearlessly and independently, regardless of the seriousness of the allegations or prevailing public opinion. Yet, as this research shows, advocates across India are increasingly subjected to criminal intimidation, threats, harassment, physical assaults, and in some tragic cases, targeted killings while performing their professional duties. The case studies examined here confirm that violence against advocates is not limited to any single State or category of dispute; it has occurred in land, matrimonial, property, and other contentious legal matters.

The study further finds that India lacks a comprehensive national database that records attacks, assaults, or deaths of advocates arising from their professional work. This absence of systematic data hampers our ability to understand the full scale of the problem and to design evidence-based policy responses. Still, the incidents documented in this paper make clear that the danger faced by advocates is real and carries serious consequences for the independence of the profession and the effective administration of justice.

Although general criminal laws criminalise offences such as intimidation, assault, and murder, they do not create a specialised legal framework addressing attacks made specifically because of an advocate's professional role. The enactment of advocate protection laws in States like Rajasthan, Karnataka, and Telangana signals growing recognition of the problem, but without uniform national legislation, protection remains patchy and unequal across the country.

Despite repeated calls from Bar Councils, Bar Associations, and legal professionals, a comprehensive Central Advocates Protection Act has not yet been enacted. Draft proposals and consultations have been discussed over the years, but the absence of final central legislation has prolonged uncertainty, leaving advocates reliant on generic criminal statutes or, where applicable, differing State measures. This delay underscores the urgent need for Parliament to prioritise a uniform national framework to protect advocates. It is time for Parliament to address this long-pending issue and pass a comprehensive Central Advocates Protection Act applicable across India. Such legislation should provide preventive protection, ensure prompt and effective investigation of offences committed against advocates for their professional work, and establish uniform legal safeguards throughout the country. Protecting advocates is not merely about defending one profession; it is about preserving judicial independence, reinforcing the rule of law, and guaranteeing that every citizen can access fearless and effective legal representation.

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