

**REFERENCE IN THE HIGH COURT ON WEDNESDAY, 30TH MARCH
1960 ON THE DEATH OF DEWAN BAHADUR P. B. SHINGNE.**

The Hon'ble the Chief Justice :

Mr. Advocate General, Mr. Government Pleader President of the Incorporated Law Society and members of the Bar.

We have met this morning to mourn the loss of a great lawyer of this Court Mr. P.B. Shingne. I did not have the pleasure of knowing Mr. Shingne personally, but when I came to this High Court years ago as a young Assistance Judge under training, I had seen him argue some criminal appeals. The forecefulness and the tenacity with which he put forward the case for the prosecution made a considerable difference in the verdicts which were finally delivered in those cases.

Mr. Shingne joined the Bar in 1903. He soon developed a very large practice, particularly on the Criminal Side and he was known as one of the greatest criminal lawyers who have practised in this Court. In 1926 he was appointed as Government Pleader. He discharged his duties with such considerable ability that he was continued in that post for an unusually long period of 12 years. He also served as a Judge of this High Court for sometime in 1933.

Mr. Shingne's activities were not confined to law alone. He was connected with several educational institutions. He was the founder of the Aryan Education Society, which Society he served for a very long period and in different capacities. He was also one of the founders of the Poona Law College. He was also connected with many other educational and

charitable institutions.

Mr. Shingne was a popular and respected member of the Bar and in him this High Court has lost a great and distinguished lawyer. On behalf of my colleagues and myself, we extend to his family our heart-felt sympathy in their bereavement.

THE ADVOCATE GENERAL, MR. H. M. SEERVAI :

My Lord, on behalf of the Bar I desire to associate myself with the observations which have fallen from my Lord the Chief Justice. By a curious coincidence, the first appearance I had in this Court was before Mr. Shingne as a Judge taking admissions of first appeals and rarely have I spent a pleasanter day in the Court than I did with him that day. I watched him dispose of admissions with a sure touch. Facts and dates, statutory and case law, came to him with effortless ease. One thing which impressed me most was the paternal kindness which he showed to all members of the Bar. He would say to an advocate : "This is not good enough, but if you can find an authority for a proposition like this or something even near it, I will admit the appeal. I will put the matter down to the bottom of the board. Go to the library and see whether you can get the authority." This Court Room witnessed an incident which showed to us all how kind was the character he possessed as a Judge. He presided over a Sessions case and a member of the Bar was personally insulting to him. But his voice was not raised, nor did his look show the slightest anger, and when the counsel apologised at the end, he said quietly: "Forget all about it. I have forgotten all about it. But let me say one thing for your own advantage. Everything is to be gained in this Court by building up a reputation and everything is to be lost by losing temper." But when the same counsel proceeded to violate the provisions of

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the Evidence Act he said : "I can overlook everything said against myself,

but I cannot allow the Evidence Act to be violated. " Then the matter was reported to the Advocate General and when Sir Jamshedji Kanga appeared and expressed regret, Mr. Shingne said : "You know my nature, Sir Jamshedji" and Sir Jamshedji said "Yes" and sat down. The whole episode taught us, members of the bar, that we had in our Courts lawyers who put justice first and their own feelings afterwards. He made a formidable advocate and this Court possessed a formidable combination of law officers when Sir Jamshedji Kanga was Advocate General and Mr. Shingne was Government Pleader. He touched life at many points. He talked to us in the Bar Library, to young men who had no claim on his friendship, with ease and familiarity and one could see how deeply sensitive he was to kindness in others. He mentioned to me that on the last day of his retirement as Government Pleader, he was sitting in his chamber, when there happened to walk in Mr. Justice Broomfield and Mr. Justice Macklin. He said to them : "Why did you not send for me?" "No" came the reply "We have come to bid you good-bye. When you cease to be the Government Pleader landmark will have disappeared from the Bombay High court."

One thing more. One of your Lordship's colleagues met Chief Justice Beaumont in 1953 and Sir John Beaumont was insistent that he had learnt criminal law from Dewan Bahadur Shingne. It was a high tribute,

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coming from Chief Justice Beaumont, and I feel that no man at the Bar deserved it better.

It is said of several men that when they die they leave their

wealth and securities and properties to others. But Mr. Shingne banked his wealth in the hearts of his friends and they will cherish his memory till their own hearts are still.

THE GOVERNMENT PLEADER MR. CHANDRACHUD :

My Lords,

I associate myself with the sentiments expressed by My Lord the Chief Justice and by the learned Advocate General. Unfortunately, I do not share with the Advocate General the privilege of having known Mr. Shingne closely.

Mr. Shingne held the office of the Government Pleader for well nigh 14 years which is perhaps the longest period for which a single individual has occupied that office. But what is important is not that he dwelt there long, but that he discharged the duties of that office with great ability, devotion and distinction.

Mr. Shingne was a virile advocate, though it is a somewhat disturbing thought that at the height of his powers he was more feared than loved – that he was known more for the powerful indictments which he delivered than for his fairness as a prosecutor, though it is a far cry from saying that he was not fair. That, perhaps, is the price which the law officers have to pay, for it is not unoften that one has to advocate a cause which is after all not so popular.

It is some measure of the success which Mr. Shingne achieved at the Bar that his Chamber supplied a steady flow of good advocates and Judges to this court. Though somewhat niggardly in his personal habits, Mr. Shingne was generous to his juniors whom he chose with care and

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encouraged with discernment.

Mr. Shingne had a flair for teaching, even as Sir Dinshah Mulla had. Many of Mr. Shingne's students who have achieved positions of eminence acknowledge to this day the deep debt of gratitude which they owe to their master for all the good and sound lessons which they learnt under him. At all times, however, Mr. Shingne was a controversial figure and he gave up teaching for reasons similar to those for which he gave up our Bar Room – to avoid conflict with those that feared but did not love him.

In Mr. Shingne's death we have lost an almost legendary figure. A forceful advocate, a good and impartial Judge, an erudite teacher and a philanthropist is no more. His life had many facets and whatever he touched he adorned, the motto of his life being "nothing is worth doing which is not worth doing well." It is sad that such a picturesque personality has been removed from our midst. During his life, Mr. Shingne earned fame and wealth but not peace and though it may seem ironical, shall we pray, My Lords, that his soul may rest in peace.

MR. R. A. GAGRAT (PRESIDENT BOMBAY INCORPORATED LAW SOCIETY)

The curtain falls on the life of everyone, some day sooner or later. In the case of Mr. Shingne it has fallen late in life. Retirement for a long period of time makes us forget the worth and eminence of a man who for a long period occupied a very high place in the High Court of Bombay. It has not been so in the case of Mr. Shingne. I had the privilege of knowing Mr. Shingne when he was Government Pleader, then for a short time when he acted as Judge and thereafter as an Advocate and as a friend. I can only say that if one thing more than any other impressed me, it was the sense of humility which was characteristic of Mr. Shingne. As an advocate he was a firm and tenacious fighter, as a Judge he was a very considerate Judge. As a friend, he was a very loving personality. Mr. Shingne regarded members of our profession with considerable regard. I had the privilege of knowing him and I can only say that we have always regarded Mr. Shingne as one who deserved the utmost respect from our profession. On behalf of the Law Society and on behalf of the members of the solicitors profession I join in the tribute paid to the memory of late Mr. Shingne. May his soul rest in peace.