

ಪತ್ರಿಕಾ ತುಣುಕುಗಳು
PAPER CLIPPINGS

ಶಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT:

Case matter

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: Deccan Herald ದಿನಾಂಕ : DATE: 23/12/20

Denotification case: HC bins BSY's plea to quash FIR

Deprecates Lokayukta police over no probe for almost 4 yrs

23/12

BENGALURU, DHNS

In fresh trouble for Chief Minister B S Yediyurappa, the High Court on Tuesday dismissed his petition seeking quashing of an FIR pertaining to illegal denotification of land.

The court also deprecated the Lokayukta police for not conducting investigation for almost four years without there being any stay and directed

the Lokayukta court to keep a watch over the investigation.

The case pertains to the denotification of 17.18 acres of land acquired by KIADB for the purpose of establishing an infrastructure corridor in Belandur, Devarabeesanahalli, Kariyammana Agrahara and Amanibellandur Khane villages in Bengaluru.

The alleged denotification order was issued on June 21, 2006, when Yediyurappa

was the deputy chief minister (DyCM) in the coalition government headed by JD(S) leader HD Kumaraswamy.

Senior counsel CV Nagesh, appearing for Yediyurappa, submitted that in respect of the very FIR, the High Court had quashed the FIR against former minister and Congress leader RV Deshpande in October 2015. He said the investigation against Yediyurappa based on the very FIR was illegal and amounts to abuse of the process of court.

Justice John Michael Cunha observed that the allegations against the petitioner are distinct and separate. The court said the entire complaint or the FIR had not been quashed in the petition filed by

Deshpande. The order passed in favour of one of the accused does not endure to the benefit of the petitioner, the court said.

The other contention raised by Yediyurappa was that the order of investigation by the Lokayukta court was bad for non-production of sanction under Section 197 CrPC and Section 19 of the Prevention of Corruption Act. The court, however, said as on the date of the order passed by the special court, the petitioner had ceased to hold the office of DyCM.

K V Dhananjay, counsel for private complainant Vasudeva Reddy, filed a memo seeking action against the Lokayukta police for their failure to conclude the investigation. He

submitted that no stay was operating insofar as the investigation against Yediyurappa was concerned, from February 18, 2015 till the investigation was stayed by the High Court on April 2, 2019.

The court said it refrained from directing any action against the Lokayukta police, lest it would prejudice the investigation.

"However, the laxity in conducting the investigation in the instant case is deprecated and the Lokayukta court is directed to keep watch over the investigation ordered by the criminal courts in respect of the misconduct of public servants and MPs and MLAs involved in the commission of criminal offences," the court said.