

ಪತ್ರಿಕಾ ತುಣುಕುಗಳು
PAPER CLIPPINGS

(18) Court Matter

ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT:

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER:

The Hindu

ದಿನಾಂಕ : DATE : 23/12/20

HC rejects BSY's plea against probe in denotification case

It pulls up Lokayukta police for delaying investigation

SPECIAL CORRESPONDENT
BENGALURU

In a setback to Chief Minister B.S. Yediyurappa, the High Court of Karnataka on Tuesday rejected his plea challenging the probe ordered against him by the Special Court for Lokayukta cases in a corruption case related to alleged illegal denotification of a parcel of acquired land when he was serving as Deputy Chief Minister during 2006.

While castigating the Lokayukta police for not conducting the probe against Mr. Yediyurappa between February 18, 2015, and April 2, 2019, even though there was no stay order of the High Court operating during this period, the court observed that there was "intentional and deliberate" delay on the part of the Lokayukta police.

Justice John Michael Cunha passed the order while dismissing the petition filed in 2019 by Mr. Yediyurappa questioning the probe ordered against him by the Special Court for Lokayukta cases on February 18, 2015, and the First Information Report registered against him on February 21, 2015.

"the allegations made in the complaint and the



B.S. Yediyurappa

material produced in support thereof *prima facie* make out ingredients of the offences alleged against the petitioner [Mr. Yediyurappa]," the court observed.

Private complaint

The Lokayukta court had ordered investigation based on a private complaint filed in 2013 by one Yediyurappa Reddy of Belandur in Bengaluru complaining about illegality and corruption by Mr. Yediyurappa and former Minister R.V. Deshpande in connection with denotification of several acres of land at Bellandur and Devarabisanahalli villages notified for IT parks.

In case of Mr. Deshpande, the High Court in October 2015 quashed the case against him on the ground that Special Court could not have proceeded against him

sans sanction, and the Supreme Court in 2017 confirmed this order.

However, the High Court in its Tuesday's order in Mr. Yediyurappa's petition held that no prior sanction was required as the BJP leader had ceased to hold the post of Deputy Chief Minister when the Lokayukta court ordered investigation in 2015 and also sanction was not necessary for ordering investigation.

"A reading of the complaint clearly indicates that the petitioner herein is sought to be prosecuted for the independent act of denotification of the lands done by him during his tenure as the Deputy Chief Minister," Mr. Justice Cunha observed while stating that the benefits of quashing of case against Mr. Deshpande cannot be extended to Mr. Yediyurappa.

"I find that distinct and separate allegations are made against the petitioner [Mr. Yediyurappa]... This allegation *prima facie* discloses a cognisable offence insofar as the petitioner is concerned which needs to be investigated," the High Court observed.

'Do not give scope for public to think you are playing into hands of bigwigs'

High Court deprecates laxity on part of Lokayukta police

SPECIAL CORRESPONDENT
BENGALURU

While deprecating laxity on the part of the Lokayukta police for not conducting probe for nearly four years against Chief Minister B.S. Yediyurappa, the High Court of Karnataka on Tuesday directed the Special Court for Lokayukta cases to keep a watch over the investigation ordered by the criminal courts in respect of misconduct of public servants, MPs, and MLAs involved in criminal offences.

The court said that though

FROM THE COURT

conduct of the Lokayukta police calls for initiation of action against them, it has refrained from passing such an order as it should not prejudice the investigation, which is in progress while declining to accept the explanation offered on behalf of the Lokayukta police for delay in conduct of investigation.

"Though, at this juncture, it cannot be said that the Lo-

kayukta police has succumbed to the pressure of the petitioner, who has been holding the position of the Chief Minister of the State of Karnataka, yet the Lokayukta police being an independent and impartial body entrusted with the duty to investigate into the misconduct of the public servants objectively, cannot give rise to an impression in the mind of the general public that it is playing into the hands of the political bigwigs," the court observed.