

ಪತ್ರಿಕಾ ತುಣುಕುಗಳು
PAPER CLIPPINGS

38

ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT: Chief Minister

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: The Hindu ದಿನಾಂಕ : DATE 28/1/2021

Relief for Yediyurappa as SC stays arrest in corruption case

Apex court, however, does not stay HC order restoring plaint

KRISHNADAS RAJAGOPAL
NEW DELHI

The Supreme Court on Wednesday protected Karnataka Chief Minister B.S. Yediyurappa from arrest in a corruption case concerning the 2011 denotification of a housing project proposal for middle and low income groups on 26 acres in Bengaluru, allegedly to make "illegal monetary gain".

HC order

A Bench led by Chief Justice Sharad A. Bobde further agreed to examine Mr. Yediyurappa's challenge against a January 5, 2021 order of the High Court of Karnataka restoring the corruption complaint filed against him by a



B.S. Yediyurappa

private investor, A. Alam Pasha, whose infrastructure development company had applied for the ₹600-crore project before it was withdrawn.

The apex court did not stay the January 5 order of the High Court.

When senior advocate Mu-

kul Rohatgi, for Mr. Yediyurappa, raised apprehensions about arrest, Chief Justice Bobde initially responded "you [Mr. Yediyurappa] are the Chief Minister. Who can issue a warrant against you?"

The court, however, ordered that "there shall be stay of arrest in the meantime". It issued notice to Mr. Pasha. Mr. Yediyurappa has raised the question of law whether "a court can proceed under the Prevention of Corruption Act against a public servant without prior sanction on the ground that he had allegedly demitted office which he was alleged to have abused".

CONTINUED ON PAGE 5

FROM PAGE ONE

Relief for Yediyurappa as SC stays arrest in corruption case

On January 5, 2021, the High Court had restored the complaint filed by Mr. Pasha on the ground that "no sanction for prosecution under the Prevention of Corruption Act is necessary after demitting office or retirement of the public servant". The High Court had ordered the case to be proceeded in accordance with law.

The table of events began in April 2012 when Mr. Pasha, who is the managing director of Pash Space International Pvt. Ltd., filed a complaint with the Bengaluru Lokayukta accusing Mr. Yediyurappa, the former State Industries Minister Murugesh R. Nirani and other senior officials of corruption.

He alleged that a project proposal to build and establish "value homes for the middle and low income group", generating employment to 500 people, was approved by the Yediyurap-

pa government via a notification in July, 2010. Twenty-six acres at the Devanahalli Industrial Area in Bengaluru Rural district was allotted for the project. Mr. Pasha's company had applied for the project.

However, the plug was pulled on the project in January, 2011. Mr. Pasha claimed it was done with an alleged intention to divert the project to some other firm for illegal monetary gain.

Mr. Pasha also alleged that a letter with his signature was forged to show that his company was not interested in the project. He said no such letter was rendered by his company.

Further, the complaint alleged that the 26 acres were carved out of 4,500 acres in the Hardware Park, IT Park and Aerospace at the Devanahalli Industrial Area. The original owners were ignored and ineligible

claimants were paid during the acquisition.

Subsequently, the Special Judge had ordered an investigation by the Lokayukta in May 2012. In June, 2013, the Special Judge took cognisance of the chargesheet and registered a case of corruption and issued summons to Mr. Yediyurappa and the others.

In October 2013, the High Court quashed the case for lack of previous sanction for prosecution of public servants.

Another complaint

Two months later, in December 2012, Mr. Pasha had filed another complaint on the same allegations. This time the Special Judge dismissed the complaint for lack of prior sanction. Following this, Mr. Pasha had moved the High Court against the dismissal to win a favourable order on January 5 this year.