

IN THE COURT OF XC ADDL. CITY CIVIL AND
SESSIONS JUDGE, BENGALURU (CCH 91)

Present:

SHRIDHAR GOPALAKRISHNA BHAT
XC Addl.City Civil &
Judge & Spl.Judge to deal with Crl.Cases related
to elected MPs/MLAs in Karnataka State
Bengaluru City.

Dated this the 3rd day of July , 2021

P.C.R. No.51/2013

COMPLAINANT : Vasudeva Reddy

-V/s-

ACCUSED NO.2 : B.S.Yediyurappa
Major, Former Chief Minister of
Karnataka, R/at: Dollars Colony
Bengaluru.

**ORDERS ON THE 'B' FINAL REPORT FILED BY THE
INVESTIGATING OFFICER**

Sri.M.G.Shankaranarayana, the Deputy Superintendent
of Police-4, Karnataka Lokayuktha, Bengaluru, the
Investigation Officer (In short I.O.) on completion of the

investigation in Cr.No.11/2015 (P.C.R.No.51/2013) submitted the Final Report under section 173 (2) of the Code of Criminal Procedure (In short Cr.P.C.) on 18.01.2021 holding that no offence under section 13(1) (d) punishable under section 13 (2) of the Prevention of Corruption Act 1988 (In short P.C.Act) appears to have been committed by accused No.2.

2. Originally, one Sri.Vasudeva Reddy filed private complaint under section 200 Cr.P.C. against accused Nos. 1 to 10 for the offences punishable under sections 120(B), 420, 406 of the Indian Penal Code (In short IPC) and for the offence under section 13(1) (d) punishable under section 13(2) of P.C.Act, 1988, on various grounds alleged in the complaint. After hearing on the complaint, the court was pleased to refer the complaint under section 156 (3) Cr.P.C. to the Deputy Superintendent of Police, Karnataka Lokayuktha, Bengaluru for investigation against accused Nos.1 & 2 only by order dated 18.02.2015 observing that there are no concrete materials to proceed against accused No.3 to 10. In view of the said order, matter was referred for investigation only against accused Nos.1 & 2 for the offence under section 13(1) (d) punishable under section 13 (2) of P.C.Act,1988. In pursuance of the said order, after receiving the complaint and its enclosures, the Karnataka Lokayuktha Police have registered FIR in

Cr.No.11/2015 for the offence under section 13(1) (d) punishable under section 13(2) of the P.C.Act, 1988.

3. As against the order dated 18.02.2015, accused No.1 had filed Writ Petition in W.P.No.8885/2015 (GM-RES) on the file of the Hon'ble High Court of Karnataka. The Hon'ble High Court was pleased to allow the said petition by order dated 09.10.2015 and quashed the complaint registered in this P.C.R. and also the order dated 18.02.2015 referring the matter for investigation against accused No.1 and the said order has attained finality. It is also noticed that the complainant had preferred Crl.Rev.Petition in Crl.R.P.No.733/2017 against the order dated 18.02.2015 challenging the said order for declining to refer the complaint for investigation against other accused persons. But the said petition came to be dismissed and the said order has also attained finality.

4. It is also clear that accused No.2 had also filed Writ petition in W.P.No.5043/2019 against the order dated 18.02.2015 seeking to quash the private complaint in this P.C.R., order of reference dated 18.02.2015 made under section 156 (3) Cr.P.C. and the FIR in Cr.No.11/2015 dated 21.02.2015 and all other further and consequential proceedings therein. The said Writ Petition came to be dismissed by the Hon'ble High Court by Order dated

22.12.2020. Thus, in the light of these aspects, now the complaint remains only against the accused No.2 - Sri.B.S.Yediyurappa, the then Deputy Chief Minister and the Chief Minister of Karnataka at present.

5. On going through the complaint averments, the only allegation made against the accused No.2 is found to be that, accused No.2 being the Deputy Chief Minister illegally de-notified certain lands acquired for I.T. Corridor lying between Whitefield and Electronic City, Bengaluru for illegal gain under Government Notification dated 21.06.2006. Though there are many other allegations in the complaint, they do not refer to accused No.2 as such. Now, after investigation, I.O. has filed 'B' Final Report stating that no offences appears to have been committed by accused No.2 under section 13 (1) (d) r/w.Sec.13(2) of P.C.Act, 1988. It is this 'B' Final Report now under challenge before this court.

6. The complainant has filed his detail objection to the 'B' Final Report *inter alia* contending that the recommendation in the Final Closure Report filed by Lokayuktha Police is devoid of merits, result of improper application of criminal statute and mis-representation of the established law and liable to be rejected. Accused No.2 being the then Dy.Chief Minister between 03.02.2006 to

08.10.2007, denotified certain lands without any public interest or public purpose. The de-notification made by him was illegal or rank abuse of public office without any public interest. By Illegal de-notification, he transferred the property of the Government to the private persons and deprived the Government of the property of substantial value and burdened the Government with exorbitant cost and unduly enriched the private persons without any public interest. In the objection, the complainant has also explained as to how illegally de-notification was issued and as to delay in investigation. It is also contended that the act of the accused No.2 neatly fit in within the description of the offence under section 13(1)(d) of the P.C.Act, 1988.

7. It is further contended in the objection that there is absolutely nothing in the Final Report submitted by the Lokayuktha Police to support their recommendations for closure of the matter against accused No.2. The Lokayuktha Police appears to have intentionally or through neglect, clubbed the materials concerning accused No.1 while dealing with the case against the present accused No.2, though there is no nexus between the same. The allegations made against accused No.1 and the allegation made against the present accused No.2 are distinct. This fact is categorically clarified in the Order passed in W.P.No.5043/2019. It is further contended that there is no

merit in the Final Report submitted by the I.O. Accordingly, on these grounds prayed for rejection of the Final Closure Report filed by the I.O. and to take cognizance of the offence under section 13(1)(d) of the P.C.Act,1988 against the accused in the interest of justice and public protection.

8. Heard the arguments of the learned counsel for the complainant on the Final Report and on the objection/protest petition filed on behalf of the complainant. Heard the learned Public Prosecutor also. The learned Public Prosecutor has relied upon the ruling reported in 2021(1) Kar.L.J.28 (Pranav Mohanthy -Vs- CBI Special Crime Branch, Chennai and Others) as to what course is open to the Court after Final Report is submitted and urged for accepting the Final Report.

9. On perusal of the entire material available on file and also on hearing the arguments canvased, the points that would arise for determination are:

- 1) *Whether the 'B' Final Report submitted by the I.O. deserves to be accepted?*
- 2) *What order?*

10. The above points are answered as under:-

- | | | |
|------------|---|--------------------|
| Point No.1 | : | In the Negative |
| Point No.2 | : | As per final order |

for the following:-

REASONS

11. **Point No.1** :- As already stated, the investigation in this case is confined only against accused No.2. After due investigation, the I.O. has filed 'B' Final Report with voluminous documents submitting that no offence appears to have been committed by accused No.2 as alleged.

12.The learned counsel for the complainant vehemently argued in terms of the objection filed to the 'B' Final Report contending that the entire investigation conducted by the I.O. is totally irrelevant and he misdirected himself in the matter of investigation. The I. O. did not understand as to what is to be investigated and done something without understanding the case. Unnecessarily, the investigation was conducted with regard to irrelevant matters and voluminous documents were collected in that regard for the reason best known to the I.O. The documents produced by the complainant and the documents collected and produced by I.O., along with his report clearly disclose the offence committed by the present accused No.2. It is also forcefully argued that the major portion of the investigation deals with regard to the act of the accused No.1 - R.V.Deshpande, against whom the case was already quashed. The Final Report submitted by the I.O. is contrary to the documents available on file. The I.O. has not even recorded the statement of the

complainant and other witnesses cited in the complaint. On the other hand, the I.O. has recorded irrelevant statement of the some witnesses, who are totally un-connected with the matter under investigation. Accordingly, submitted that the Final Report filed by the I.O. is liable to be rejected and on the basis of the complaint averments and documents produced, cognizance may be taken against the accused No.2 for the offence under section 13(1) (d) of the P.C.Act, 1988. The learned counsel for the complainant has also mentioned as to delay in investigation and observation made by the Hon'ble High Court in that regard. The learned counsel for the complainant has also brought to the notice of this Court as to Order passed by the Hon'ble High Court in W.P.No.5043/2019 contending that the Hon'ble High Court has specifically ordered and observed that there is no need of prior sanction under section 19 of P.C.Act.

13. In the light of the compliant averments, objection filed to the Final Report and arguments submitted, if the Final Report filed by the I.O. is analysed, no doubt as argued by the learned counsel for the complainant, in this case I.O. has not examined either the complainant or any of the witnesses cited in the complaint for the reason best known to him. Further, it is also noticed that in this case, the entire allegations of the complainant against accused No.2 is with regard to the de-notification dated 21.06.2006

and as such, the entire investigation has to be confined with regard the said de-notification only. But if the Final Report submitted by the I.O. is analysed as argued by the learned counsel for the complainant, the investigation appears to be went beyond the said aspect. It is clear that many unconnected and irrelevant matters were taken into consideration by the I.O. for investigation. Further, the voluminous documents collected by the I.O. are also found to be unconnected and irrelevant.

14. It is pertinent to note that there is no dispute with regard to the notification issued by the Government for acquisition of 434 acres of land spread over at Bellanduru, Devarabisanahalli, Kariammana Agrahara and Amani Bellanduru Khane of Bengaluru under the Karnataka Industrial Area Development Act (In short KIADA) to establish an I.T. Corridor and Final Notification was issued in that regard. It is not in dispute that various notification were issued by de-notifying certain lands from the said acquisition on different occasions. It is clear that accused No.2 being the then Deputy Chief Minister ordered for de-notification of certain lands and accordingly, notification dated 21.06.2006 was issued by de-notifying some lands as found in the said Notification.

15. It is also found that certain lands are given to the beneficiaries of the acquisition to establish their unit as

well. It is also not in dispute that as on the date of passing de-notification Order, accused No.2 was the Deputy Chief Minister and he was a public servant as defined under sub-section (c) of Section 2 of P.C.Act, 1988.

16. In view of the allegation made by the complainant, the ingredients of the offence alleged and in view of the order dated 18.02.2015, the I.O. ought to have investigated the following aspects :

a). *Whether the accused No.2 had abused his official position as a public servant in the matter of denotifying the acquired land under the Government Notification dated 21.06.2006?*

b). *Whether the accused No.2 had obtained for himself or for any other person any valuable thing or pecuniary advantage by corrupt or illegal means by denotifying certain lands specified in the Government Notification dated 21.06.2006?*

c). *Whether the Notification dated 21.06.2006 was for any public interest or not?*

17. With the above aspects, if an anxious consideration is adverted on the Final Report submitted by I.O., prima facie it appears that the investigation conducted by the I.O. is not at all touching the above aspects. The I.O. has produced 19 documents in 10 Books under volume No.III (ಕಡತ ನಂ.3) collected from the office of KIADB, but

none of them found to be connected with the allegation made against the present accused No.2. In fact, the I.O. has produced the Statement of Accounts relating to the account of the accused No.2 maintained with Karnataka Rajya Co-Operative Apex Bank Ltd., Bengaluru for the period from 01.01.2008 to 22.12.2012 and that of the State Bank of India for the period from 15.02.2008 to 31.12.2012. But it is found that the said Statement of Accounts of that period have no relevancy or consequence on the allegation made in the complaint. This Court is unable to understand as to how the I.O., felt these documents are relevant and necessary for the investigation of the subject matter referred as against the present accused No.2.

18. Further, the I.O. had collected eight documents as shown in Volume No.IV (ಕಡತ ನಂ.4), but they are also found to be unconnected and irrelevant with regard to the subject matter of investigation. The said documents are stated to be relating to lake encroachment. The I.O. had collected many documents relating to many properties in 4 Books under volume No. VI (ಕಡತ ನಂ.6) and they are also found to be irrelevant and has no nexus with the subject matter of investigation. The documents so collected are not relating to the subject matter of the Notification dated 21.06.2006. It is not understood for what reason and purpose, the I.O. had opted to collect these documents

during his investigation with regard to the allegations made against the present accused No.2. It is noticed that the I.O. had collected many documents in 4 Books under Volume No.V (ಕಡತ ನಂ.5) and they are found to be the documents relating to the properties involved in the Notification dated 21.06.2006 issued at the instance of the present accused. However, it is noticed that I.O. had just collected these public documents from the public office and produced along with the Final Report. They also do not spread any light on the allegations made against the accused No.2. It is also found that the said documents are not in dispute. As such, the documents have no relevancy in assessing the allegation made against the accused No.2.

19. Further, on going through the Final Report submitted by the I.O. in volume No.1 (ಕಡತ ನಂ.1), it is noticed that the matters stated in Page No.1 to 49 and Page No.57 to 68 are found to be irrelevant and has no nexus with the allegation made against the present accused. It is very strange to note that the I.O. had gone to the extent of investigating the matter with regard to the properties denotified by the present accused, when he was the Chief Minister, which is not referred for investigation at all. If Page Nos. 50 to 56 are looked into, they are relating to the properties denotified under Notifications dated 21.06.2006 and 12.09.2007. So far as the properties denotified under Notification dated

21.06.2006 and the details furnished by the I.O. in that regard are concerned, it clearly appears that I.O. had just collected public documents relating to the said properties and narrated the same in his report and nothing more. It is astonishing that for what reason I.O. had gone to investigate the matter relating to Notification dated 12.09.2007 and also with regard to the properties denotified by the present accused being the Chief Minister. Thus It appears to this Court that either I.O. has not considered the contents of allegations made against the present accused in the complaint or deliberately mixed up unconnected matters however for the reasons best known to him.

20. It is also to be noted that as found in the documents admittedly, accused No.2 had ordered for de-notification of the land mentioned in the Notification dated 21.06.2006 for the many reasons as found in Para Nos. 291 to 293 of the KIADB proceedings file. The reason assigned for de-notification are:

a). As per the Order dated 27.06.2005 passed in W.P.No.9146/2001, though Final Notification was issued under section 28(4) of KIADA, when possession of the land was not taken, then such a land could be denotified.

b). Some land owners have questioned the land acquisition before the Hon'ble High

Court, wherein interim order was granted preventing dispossessing them from the said land.

c). The land price was also not fixed in view of the objection raised by the land owners.

d). Even if the acquisition proceeding is continued by KIADB, there is no chance of getting the possession of the land.

21. No doubt, the order of de-notification passed by accused No.2 is found to be adverse to the Report of the C.E.O. of KIADB. But only on that account, it can not be said that the denotification dated 21.06.2006 is illegal as contended by the complainant. In this regard, thorough investigation is necessary. But the I.O. had not ventured to investigate the matter in these angles in the light of the allegation made in the complaint. Further, the I.O. had not collected any materials to assess whether accused No.2 had abused his official position or by illegal or corrupt means obtained any pecuniary advantage or valuable thing for himself or for any other persons or the de-notification in question was not for any public interest.

22. Added to above aspects, in the order dated 18.02.2015, while referring the matter for investigation, it is specifically observed that whether the recommendation made by accused No.2 for denotification of certain lands

was for illegal gain needs to be investigated. But this aspect of the matter was not at all considered by the I.O. No doubt, the I.O. had recorded the statement of one Smt.Meenamamma, Sri.Prakash, Sri.Madhusudan, Sri.Raja Reddy and one Muniraju in cyclostyle manner, stating that they have not paid any amount to denotify their lands. But it is pertinent to note that the said statements are nothing to do with the Notification dated 21.06.2006. I.O. has not recorded the statement of the land owners of the properties whose lands were denotified under Notification dated 21.06.2006 for the reason best known to him. The collecting of the statement of accounts of the Bank account of accused No.2 for some period as stated earlier also appears to be very strange.

23. In the Final Report submitted by the I.O. Volume No.1 (ಕಡತ ನಂ.1) page Nos.69 to 75 deals with the opinion of the I.O. The said opinion of the I.O. is based on the materials collected by him during the course of his investigation. However, as discussed above, the very investigation conducted by the I.O. is found to be without application of mind on the relevant matters to be investigated. The opinion of the I.O. is found to be based on irrelevant and un-connected materials. Therefore, the opinion of the I.O. is found to be un-acceptable and untrustworthy.

24. Thus, for the reasons discussed above, as argued by the learned counsel for the complainant, it clearly appears that either the I.O. has mis-directed himself in the matter of investigation or conducted the investigation without understanding what is to be investigated. It appears that the I.O. had taken much pain to investigate some un-connected matters relating to the present accused and filed Final Report for the purpose of filing the same before the Court. It is also noticed that the investigation was conducted by the Deputy Superintendent of Police and approved by the ADGP, Karnataka Lokayuktha, Bengaluru as per Memo No.Lok/INV(G)Public CT./Crime 11/2015 dated 11.01.2021. It appears that even the ADGP had also not properly considered the Final Report while approving it to submit the same before the Court. The material so collected as stated supra demonstrates that how the I.O. has ignored the material facts during investigation and exhibited his casual approach in the matter of investigation. The entire investigation made by the I.O. is in perfunctory manner and against the approach of the prudent person.

25. It is settled proposition of law that, on receipt of the 'B' Final Report, the Magistrate has got following options to follow:

- a). *To accept the 'B' Final Report and drop the proceedings.*
- b). *To direct the further investigate to be made by the concerned.*
- c). *To take cognizance of the offence against the accused if in the opinion of the court material available in the 'B' Final Report makes out a cognizable case and thereafter issue process.*
- d). *To reject the 'B' Final Report and consider the private complaint or protest petition to ascertain whether the allegations set out in the private complaint constitute any cognizable offence and then to proceed under section 190 of Cr.P.C. and to proceed as per Chapter XV Cr.P.C. as private compliant if the materials are sufficient.*

26. In this regard, this Court is also being guided by the ruling submitted by the learned Public prosecutor reported in *2021 (1) Kar.L.J.28* wherein, our Hon'ble High Court in para 11 of the Order referred the Judgment of the Hon'ble Apex Court wherein, certain guidelines to be followed by the Courts and the Magistrates are laid down, when the Final B-Summary Report is filed, they are as under:

" 5. xxxxxxxx *It is well recognized principle of law that, once the police submit 'B' Summary Report and protest petition is filed to the same, irrespective of contents of the protest petition, the court has to examine the contents of 'B' Summary Report so as to ascertain whether the police have done investigation in a proper manner or not and if the court is of the opinion that the investigation has not been conducted properly, the court*

has got some options to be followed, which are,-

- i) *"The court after going through the contents of the investigating papers, filed u/s 173 of [Cr.P.C.](#), is of the opinion that the investigation has not been done properly, the court has no jurisdiction to direct the Police to file the charge sheet however, the Court may direct the Police for re or further investigation and submit a report, which power is inherent under [section 156\(3\)](#) of Cr.P.C, but before taking cognizance such exercise has to be done. This my view is supported by the decisions of the Hon'ble Apex Court in a decision reported in AIR 1968 S.C. 117 between Abhinandan Jha and Dinesh Mishra (para 15) and also Full Bench decision of Apex Court reported in (1980) SCC 91 between Kamalapati Trivedi and State of West Bengal.*
- ii) *If the court is of the opinion that the material available in the 'B' Summary Report makes out a cognizable case against the accused and the same is sufficient to take cognizance, and to issue process, then the court has to record its opinion under Sec.204 of [Cr.P.C.](#), and the Court has got power to take cognizance on the contents of 'B' Summary Report and to proceed against the accused, by issuance of process.*
- iii) *If the court is of the opinion that the 'B' Summary Report submitted by the Police has to be rejected, then by expressing its judicious opinion, after applying its mind to the contents of 'B' report, the court has to reject the 'B' Summary Report.*
- iv) *After rejection of the 'B' Summary Report, the court has to look into the private complaint or Protest Petition as the case may be, and contents therein to ascertain whether the allegations made in the Private complaint or in the Protest Petition constitute any cognizable offence, and then it can take cognizance of those offences and thereafter, provide opportunity to the complainant to give Sworn Statement and also record the statements of the witnesses if any on the side of the complainant as per the mandate of Sec.200 [Cr.P.C.](#)"*

In this regard, this Court is also being guided by the decision of the Honble supreme court reported in (2006)4 SCC 359 in the case between *Meenu Kumari and Another*

-Vs- *State of Bihar and Others*, wherein also the Hon'ble Apex court explained the powers that are vested in the Magistrate upon filing of a report in terms of section 173(2) Cr.P.C.

27. It is to be noted that in the decision reported in *AIR 2012 SCW 962 (Vasanthi Dubey -Vs- State of Madhya Pradesh)* Ho'nble Supreme Court has held that, "even if the police report states that no case is made out against the accused, the Magistrate can ignore the same and can take cognizance on applying his mind independently to the case". In another decision reported in *2019 (8) SCC 27* in the case between *Vishnukumar Thiwari -Vs- State of Uttar Pradesh.*, the Hon'ble Apex Court of our country held that:

" The position is therefore, now well settled that upon receipt of a police report under section 173(2) of CR.P.C., a Magistrate is entitled to take cognizance of an offence under section 190(1)(b) of Cr.P.C., even if the police report is to the effect that no case is made out against the accused. The Magistrate can ignore the conclusion arrived at by the I.O. and independently apply his mind to the facts emerging from the investigation."

28. Thus, from the above decisions, it is clear that just because the I.O. has filed 'B' Final Report the same need not be accepted. The court can ignore the conclusion arrived by I.O. and can take its own decision on the basis

of the facts emerging from the investigation conducted.

29. In another decision reported in *AIR 2013 S.C. (Cri) 292*, in the case between *Vinay Thyagi -Vs- Irshad Ali*, it is held that, “ *the Magistrate has the power to direct further investigation under section 173(8) of Cr.P.C., after filing of the Final Report.*” In this regard, this court is also being guided by the another decision reported in *2013 Cr.L.J.3739 (S.C.)* in the case between *Siya Ram -Vs- State of Uttar Pradesh*.

30. It is pertinent to note that as provided under section 173(8) of Cr.P.C., even after completion of investigation under section 173 (2) of Cr.P.C., the I.O. is authorised to conduct further investigation under section 173(8) of Cr.P.C., but not fresh or denova investigation. It is settled principle of law that where the court is of the opinion that the investigation conducted so far does not inspire the confidence, it may direct for further investigation. In this regard, it is appropriate to refer the decision of the Hon'ble Apex Court reported in *(1998) 6 S.C.C. 551* in the case between *State through C.B.I. -Vs- Rajkumar Jain*, wherein it is held that, “ *the Special Judge has power to direct further investigation, if he finds on consideration of the police report that, the opinion formed by the I.O. seeking discharge of the accused is not based*

on full and complete investigation.”

31. Therefore, from the ratio of the decisions referred herein above, it is certain that this Court while dealing with the matter under section 5 (1) of the P.C.Act, it is not bound by the opinion expressed by the I.O. in his Final Report. Per contra, the court can ignore the conclusion arrived by the I.O. and apply its mind independently on the facts and materials collected. In the present case, on independent application of judicious mind to the facts emerging from the 'B' Final Report would prima facie indicate that the I.O. did not conduct the investigation properly as required on the matter referred for investigation so as to thrash out the underlying truth. As discussed in detail, the investigation so carried out by the I.O. appears to be ineffective, incomplete, defective and does not inspire the confidence of this Court.

32. As discussed, since the Final Report submitted the I.O. does not instill the confidence of the Court, the first option available to the Court to accept the Final Report and to drop the proceedings can not be opted. The learned counsel for the complainant has urged for taking cognizance of the offence leveled against the accused on the basis of the materials available on file. But on going through the facts of the present case, complaint averments, documents produced, Final Report filed and nature of the

investigation conducted, this court is of the considered view that to unearth the truth and for furtherance /advancing the cause of justice, it is appropriate to direct the further investigation by exercising the power under section 156 (3) Cr.P.C. in the light of the observation made herein above and to file fresh Final Report/Additional Final Report accordingly. Hence, under these peculiar circumstances of the case, this court is of the considered view that it is just and proper to direct further investigation to meet with ends of justice and no other course is left open at this stage. No doubt as argued by the learned counsel for the complainant in W.P.No.5043/2019, the Hon'ble High Court has observed that, no prior sanction is necessary under section 19 of the P.C.Act, 1988. But, at this stage, this Court is not going to take cognizance of the offence, as this court is of the considered view that further investigation is necessary in this case and as such, the said aspect does not arise.

33. Thus, on an overall appreciation of the facts of the case and also the law applicable, the 'B' Final Report filed by the I.O. stating that no offence appears to have been committed does not merit for its acceptance. Hence, my thoughtful view is that 'B' Final Report submitted by the I.O. is liable to be rejected. Consequently, point No.1 is required to be answered in negative and answered accordingly.

34. **Point No.2:** For the reasons assigned and the findings given on point No.1, this court proceed to pass the following :

ORDER

The 'B' Final Report submitted by the Investigation Officer under section 173(2) Cr.P.C. is hereby rejected. Consequently, acting under section 156(3) Cr.P.C. the Deputy Superintendent of Police attached to the Police wing of Karnatka Lokayuktha, Bengaluru is hereby directed to investigate the matter further in the light of the observation made in this order and to file Final Report/Additional Final Report expeditiously as per law.

The Investigation Officer shall keep in mind the observations made by the Hon'ble High Court in W.P.No.5043/2019 with regard to the delay in conducting investigation.

The Office is hereby directed to send the copy of this order to the learned ADGP, Lokayuktha, Bengaluru, for further necessary action.

Await Report by 21.08.2021.

(Dictated to the Judgment Writer directly on computer, typed by her, and same is revised and corrected by me and then pronounced and signed by me in the Open Court on this the 3rd day of July, 2021).

(SHRIDHAR GOPALAKRISHNA BHAT)
XC Addl.City Civil & Sessions Judge &
Spl.Judge to deal with Crl.Cases related
to elected MPs/MLAs in Karnataka State
Bengaluru City.

(Order pronounced in the open court. (vide separate order)

The operative portion of the same is as under:

ORDER

(Shridhar Gopalakrishna Bhat)
XC Addl. City Civil & Sessions Judge,
Bengaluru City (CCH-91)
(Special Court exclusively to deal with
criminal cases
related to elected MPs/MLAs in the
State of Karnataka)

