

ಪತ್ರಿಕಾ ತುಣುಕುಗಳು
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ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT: ¹³ Court Matter

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: The Hindu ದಿನಾಂಕ : DATE 16/1/21

+ P.C. Mohan fails to get relief from High Court for 'false declaration'

'There is clear concealment, suppression of material facts'

SPECIAL CORRESPONDENT
BENGALURU

The Karnataka High Court gave partial relief to Bengaluru Central Lok Sabha member P.C. Mohan, but took it away in the same order on his petition in which he had challenged criminal proceedings initiated against him for allegedly making false declaration about assets in the nomination papers of Parliamentary elections held in 2014 and 2019.

The High Court quashed the order, passed on November 8, 2019 by the special court set up for exclusively dealing with criminal cases against MPs and MLAs, referring to a private complaint on false declaration to the Deputy Commissioner of Police (Bengaluru South) for investigation.

The special court could not have ordered investiga-

FROM THE COURT

tion as all the offences alleged against Mr. Mohan were non-cognisable in nature, the High Court said.

Take cognisance

However, the High Court held that "the allegations made in the complaint along with supportive documents prima facie disclose the ingredients of offences under sections 171G, 191, 193, 199 and 200 IPC and this material was sufficient [for the special court] to proceed against the petitioner for the above offences."

Justice John Micheal Cunha observed in the order that "...there is a clear case of concealment and suppression of material facts attracting the ingredients of the offences alleged against the petitioner."

In such circumstances, the proper course available for special court was to straight away take cognisance of the alleged offences and proceed against the accused-petitioner as per the law, the High Court said while directing the special court to take cognisance of offences against Mr. Mohan under Section 190 of the Code of Criminal Procedure and proceed further.

It was alleged in the complaint that Mr. Mohan had not disclosed immovable properties measuring 42 acres 14 guntas situated at Lakshmipura village, Kasaba hobli, Devanahalli taluk, Bengaluru Rural district worth more than ₹33.6 crore.

However, Mr. Mohan had claimed that this property belonged to P.C. Reality, a partnership firm set up by him along with his wife.