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CBI hands tied against judge

SANCTION DENIED Agency even wanted to file another FIR against Justice Yadav

hindustantimes
EXCLUSIVE

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NEW DELHI: The Central Bureau of Investigation (CBI) told a Chandigarh trial court on December 24 that it wanted to close the case it was investigating against Justice Nirmal Yadav of the Punjab and Haryana High Court not because it was convinced of her innocence, but because the government and the Chief Justice of India refused to grant it sanction to prosecute her.

A top CBI officer told

Hindustan Times that on the contrary, they wanted to register a separate FIR as well against Justice Yadav on charges of forgery and abuse of official position while buying land in Himachal Pradesh. But they could not pursue it in the absence of permission to do so.

The case the CBI was probing related to a sum of Rs 15 lakh in cash that was mysteriously delivered at the Chandigarh residence of another Punjab and Haryana High Court judge, Nirmaljit Kaur, on August 13, 2008.

Justice Kaur informed the local police and handed over the money, claiming she had no idea what it was for.

In end August, the CBI was

handed over the case and asked to investigate whether the money was actually intended for Justice Yadav, but had been mistakenly sent to Justice Nirmaljit Kaur, because of the similarity in their names.

"We not only found evidence to prosecute Justice Yadav in the Rs 15 lakh cash case, but also stumbled upon evidence on alleged forgery and abuse of official position by Justice Yadav in land purchase in Solan, which could have been the basis of another case against her," said the CBI officer.

Since official sanction is needed to prosecute a sitting HC judge, the CBI applied for it to the Union Ministry of Personnel.

On December 7, however, the



■ **Yadav:** CBI found evidence on abuse of power against her.

agency received a reply — which it cited in its report seeking closure of the case — saying no action was required against Justice Yadav as there was no evidence against her.

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TWISTS AND TURNS

August 13, 2008

Rs 15 lakh

in cash delivered to Justice Nirmaljit Kaur

August 14, 2008

FIR registered after Justice Kaur complains

August 23, 2008

CBI takes over case

January 2009

CBI seeks permission to prosecute Justice Nirmal Yadav

December 2009

CBI files closure report in case

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