



Bar to contest closure report

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Chandigarh : The Punjab and Haryana High Court Bar Association has unanimously decided to file a protest petition against the closure report filed by the CBI in the ‘cash-at-judge-door’ case. The decision follows a meeting of the association’s executive body held on Friday after advocates Navkiran Singh and R S Bains volunteered for filing a petition in the Court of Special CBI Judge, Chandigarh District Court. The petition demands strict action against the guilty.

In its strongly-worded protest petition, the Bar has contended there was no need for prosecution sanction against a public servant (Justice Nirmal Yadav) as demanded by the CBI. Referring to sections 8 and 9 of the Prevention of Corruption Act, the Bar has submitted that the sections clearly state that no prosecution sanction was required for a sitting High Court judge.

Taking a dig at the CBI for not adopting proper channels to seek sanction of prosecution against Justice Nirmal Yadav, whose name has figured as the beneficiary of the disputed Rs 15 lakh, the Bar has requested the Special CBI Judge to direct the investigating agency to adopt proper procedures.

Rubbishing the CBI claim that a communique was sent by the Law Ministry denying the prosecution sanction, the Bar has submitted that proper procedure to demand sanction was to request the Chief Justice of India (CJI) and not the Law Ministry.

“From the perusal of the closure report given by the CBI, it is clear that the investigating agency has not corresponded with the Chief Justice of India for grant of prosecution sanction and instead adopted a wrong channel. There is no need to seek sanction from the Law Ministry or the Attorney General. Merely producing a communication from the Law Ministry, that it has corresponded with the CJI, will not serve the purpose,” Bains told The Indian Express.