

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.190/2015

(Bhaskar Pandurang Walimbe .vs.. State of Maharashtra, through PSO P. S.
Frezarpura, Office of Anti Corruption Bureau, Amravati)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Shashank Manohar, with Mr. D. V. Chauhan,
Advocates for applicant.

Mr. Ahirkar, A.P.P. for non applicant-State.

CORAM : A.B. CHAUDHARI, J.

DATE : JULY 1, 2015.

It is not in dispute that the applicant was arrested in Crime No.3073/2015 registered with Police Station, Frezarpura, Amravati and PCR was also obtained in relation to the same crime. Thereafter, the competent court ordered release of the applicant on bail since the PCR was not required nor was claimed from the Court. It appears that now another FIR in question has been registered in relation to the disproportionate assets which is the subject matter of the present application in respect of which anticipatory bail is claimed.

In my opinion, the applicant having been arrested, interrogated, the police custody having been obtained and the entire rigmarole having been

completed, there is no occasion to seek arrest of the applicant over and again in the same incident for which offence was registered. I, therefore, find that having been completed the investigation and interrogation of the applicant, he cannot be allowed to be arrested again by splitting one cause of action into two.

That being so, I make the following order.

ORDER

- (i) Criminal Application (ABA) No.190/2015 is allowed.
- (ii) Interim order passed by this Court on 15.04.2015 is confirmed.
- (iii) The applicant shall cooperate with the investigating agency as and when called.

JUDGE