

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22496 of 2018

ORDER:

The writ petition is filed seeking a direction to respondent-police not to arrest the 1st petitioner in any subsequent FIRs that may be registered on complaints if any received which are similar to that of Cr.No.6 of 2018 of Dargamitta Police Station (IV-Town Police Station), Nellore.

Sri Praduyumnakumar Reddy, learned senior counsel appearing for the petitioner submits that this Court has considered the same issue regarding registration of multiple FIRs on same set of facts in **Jakir Hussain Kosangi v. State of A.P. rep.by its Principal Secretary to Government, Home¹** and this writ petition can be disposed of with same observations and also to direct the respondent-police to follow the guidelines laid down in **Arnesh Kumar v. State of Bihar²**.

Learned Assistant Government Pleader submits that bail was granted in all three crimes, but the 1st petitioner is not cooperating with the investigation and not complying the conditions in bail order. He also submits that if the 1st petitioner responds to the notice under Section 41-A Cr.P.C., appropriate steps will be taken, but he is not at all cooperating and huge amount of money was misappropriated by the 1st petitioner and victims are approaching police and no lenience can be given to the petitioners.

¹ 2017(5) ALT 342 (D.B.)

² (2014) 8 SCC 273

In view of the same, the writ petition can be disposed of directing the respondent-police to follow the guidelines laid down in **Arnesh kumar** cited supra (1). As far as registration of FIRs are concerned, this Court has already observed in **Jakir Hussain Kosangi's** case cited (2) supra in para No.68 as under:

“Therefore, the petitioners are not entitled to any relief and the writ petitions are liable to be dismissed. However, for the purpose of facilitating the investigating agencies to get a clear and comprehensive picture of the range and width of the offences allegedly committed and to trace the trail of money, the State Governments may consider the constitution of a special wing in each of the two States and notifying them under Section 2(s) of the Code of Criminal Procedure, 1973, so that all FIRs pending all over the two States could be transferred to a single agency and dealt with conveniently.”

In view of the same, the writ petition is disposed of with the same observations. However, if the 1st petitioner does not comply with the conditions in bail and if does not respond to the notice under Section 41 A Cr.P.C. it is open for respondent-police to take appropriate action in accordance with law. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

23-08-2018
Nvl



