

ABA-1435/2025

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ORDER

MHCC050054172025



IN THE COURT OF SESSIONS AT DINDOSHI  
(BORIVALI DIVISION), GOREGAON, MUMBAI

ANTICIPATORY BAIL APPLICATION NO. 1435 OF 2025

IN

(C.R. NO. 617 OF 2025 OF GOREGAON POLICE STATION)

Parul Harbinder Rana

Age : 27 years, Occ : Student

R/at : C/o Harbindar Singh Rana

Jagatpur, Post Office Joghan,

Solan, Himachal Pradesh - 174101.

...Applicant

V/s.

The State of Maharashtra

(Goregaon Police Station)

...Respondent.

Ld. Adv. Mr. Rishi Bhuta a/w Ld. Adv. Ms. Kruti Mehta for applicant.

Ld. APP Ms. R.S. Kanojia for Respondent.

Ld. Adv. Adv. Mr. Satyadev Joshi a/w Ld. Adv. Mrs. Indra Sharma for  
original Complainant.

**CORAM : HIS HONOUR ADDITIONAL SESSIONS JUDGE  
SHRI. S. M. AGARKAR (C.R. No.15)**

Date : 6<sup>th</sup> November, 2025.

**ORAL ORDER**

This is an anticipatory bail application filed by the applicant, under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023, seeking protection against arrest in connection with the FIR No. 617 of 2025 registered with Goregaon Police Station under Sections

318(4), 308(2), 356(3), 61(2) of Bhartiya Nyaya Sanhita, 2023 (herein after referred to as 'BNS').

2 Heard Ld. advocate Mr. Rushi Bhuta for applicant. He submitted that the applicant has not committed any offence. The FIR on the face of record not discloses the deception by this applicant. The ingredients of the offence of cheating are not attracted. So also, it does not disclose defamation. He further submitted that for the alleged offence of defamation, police cannot take the cognizance. The complainant lodged the complaint relating to same incident in Gurgaon Police Station and police after inquiry submitted closure report. According to him, FIR simply discloses transaction of money between the applicant and the complainant out of friendship. The applicant never received an amount of Rs.1,50,000,00/- as alleged in FIR. According to him, these allegations are false and incorrect. He further submitted that the applicant never breached the conditions imposed by this Court while granted ad-interim relief. He submitted that the applicant submitted the Passport and all details with police. He has pointed out that the Hon'ble Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and Anr.**, decided on 16<sup>th</sup> July, 2025, held that the notice under Section 35(3) of BNSS, can be served physically only and not through Whatsapp or any electronic mode. He then submitted that the Investigating Officer called the applicant vide notice dated 17/10/2025, under Section 35(3) of BNSS through E-mail on 20/10/2025, which was the day of Diwali Festival. Then, given the notice on 02/11/2025 to attend the police station, giving the date of attendance as 04/11/2025. The Investigating Officer is aware that the applicant is living in other State. According to him, the reasonable time was not given to the applicant. He further submitted that the applicant

is ready to abide the conditions. He requested for pre-arrest bail. He placed reliance on following judgments :

**i) The Hon'ble Supreme Court in case of Satender Kumar Antil Vs. Central Bureau of Investigation and Anr., decided on 16<sup>th</sup> July, 2025.**

**ii) The Hon'ble Supreme Court in case of Vijay Kumar Ghai & Ors. Vs. State of West Bengal and Ors., decided on 22<sup>nd</sup> March, 2022.**

**iii) The Hon'ble Supreme Court in case of Subramanian Swamy Vs. Union of India, Ministry of Law and Others, decided on 13<sup>th</sup> May, 2016.**

**iv) The Hon'ble Supreme Court in case of Ravindra Saxena Vs. State of Rajasthan, decided on 15<sup>th</sup> December, 2009. (2010) 1 SCC 684.**

3 Per contra, the Ld. APP Ms. R.S. Kanojia for the State submitted that the allegations in FIR shows that all the family members hatched the conspiracy to cheat the applicant. This applicant and co-accused Nidhi have criminal antecedents. The offences are serious in nature. Custodial interrogation of the applicant is necessary for recovery of money and detail investigation. She requested to reject the application.

4 The Investigating Officer, PI Shri. Umesh Dandile submitted that this applicant and co-accused Nidhi have given incorrect phone number of 9 digits. He has not disputed that this applicant has submitted her passport to him through her advocate. He further submitted that the applicant has not attended him despite of service of notice under Section 35(3) of BNSS, sent through E-mail. He also opposed the application.

5 Ld. Advocate Mr. Satyadev Joshi appearing for intervener submitted that no FIR was registered at Gurgaon. He concedes that the complainant has filed police complaint there but denied of closure report. According to him, the offences occurred at various places. The complainant can lodge FIR at every place. He pointed out that the FIR shows part of the offence occurred at Mumbai. He further submitted that the judgment of **Satender Kumar Antil (supra)** will not be applicable to the present case on account of directions given while granting interim protection by this Court. So also, the judgment in the case of **Vijay Kumar Ghai (supra)** is on the point of forum shopping which is not applicable to the present case. According to him, the applicant worked as an Ambassador of the country in various places. Therefore, the issue of national security, i.e. fetching of confidential information may be there. Therefore, detail investigation in that respect is necessary. He, therefore, opposed to grant anticipatory bail to this applicant.

6 The FIR is lodged by the victim himself. He claimed to be advocate by occupation and participated as an Ambassador of Indian Government in various international summits. He also claimed to work as a chief Manufacturer Association. He alleged that in the month of May 2024, he came in contact with the present applicant through common friends. At that time, they exchanged their instagram ID. Later, they also exchanged the phone numbers. On 06/06/2024, he was at Geneva for conference. In late night, the applicant made phone call to him, at that time, she was crying. She informed him urgent need of money of Rs.5 Lakhs on account of ill health of her relative. On that, he transferred Rs.2,50,000/- in SBI account of the applicant. He further alleged that on the demand of the applicant, again he paid

Rs.2,50,000/- in the month of July, 2024. The applicant was insisting the him for physical relations. At the house of the complainant itself, they established physical relations. Again, on the demand of applicant, he transferred Rs.5 Lakhs through the company NSS Venture Private Ltd, of his friend Nirav Saha, on 09/07/2024. Thereafter, on 31/07/2024, the applicant and her sister stayed at his home and while leaving home, she took Rs.10 Lakhs. In the meantime, on 15/07/2024, he and this applicant went to Bali for roaming, and he himself borne all the expenses. At that time, the applicant again demanded Rs.20 Lakhs. At that time, the complainant felt that the applicant is cheating to him for money. When he started go away from her, the applicant shown him their photographs in compromising state in Idrop Software and threatened him to give the money or she will implicate him in false offence of rape and outraging of modesty. On the threat, the complainant transferred huge amount to her, time to time. According to the complainant, he transferred an amount of Rs.1,50,000,00/- in cash and Rs.50,000,00/- through online. It is also alleged that co-accused Harvinder Singh Rana (father), Meena Rana (mother), Nidhi Rana and Konika Verma (sisters) used to make phone calls in case of delay in making payment. They also made phone call to the wife of the complainant and demanded money giving the threat of lodging false FIR and giving the threat to make the photos viral.

7            From the contention in application, it prima facie appears that the factum of physical relationship with the informant is not disputed by the applicant. In our country, sexual relations amongst adults with consent is not an offence. The partial receipt of money through online is also not disputed. There are specific allegations of extortion of money. The allegations in FIR also prima facie shows that

the applicant is having the photographs of the complainant with her in compromising state and she is giving threat to make it viral.

8 The submission of the Ld. advocate for the complainant that as the offence occurred at various places, the informant can lodge FIR at every place, is not acceptable. Reasons are the series of acts constitute one offence and the complainant can lodge FIR at any of the place. However, the Ld. Advocate for the intervener also made clear that although the complainant lodged complaint with Gurgaon Police Station, no FIR is registered there.

9 As regards breach of conditions is concerned, while granting interim protection, the applicant was directed to attend the Investigating Officer as and when called for investigation. It is necessary to mention here that, the ratio laid down by the Hon'ble Apex Court in the case of **Satender Kumar Antil (supra)**, is binding on all including this Court. Thus, under the garb of aforementioned directions, the service of the notice under Section 35(3) of BNSS, cannot be done through electronic mode. During the course of argument, the Investigating Officer submitted that he served the notice under Section 35(3) of BNSS, through E-mail directing the applicant to attend him on 20/10/2025 and then on 04/11/2025. It is not the case that the Investigating Officer called the applicant for interrogation, in pursuant to the order passed by this Court, while granting interim protection. Moreover, we also have to see whether the reasonable opportunity was given to the applicant. It appears that the Investigating Officer called the applicant and her family members on 20/10/2025, which was the day of Diwali Festival. Then, again sent notice under Section 35(3) of BNSS, dated 02/11/2025, calling her on 04/11/2025.

The Investigating Officer was aware of all the accused are living in other State. Thus, no reasonable opportunity is appears to be given.

10            However, in reply dated 20/10/2025, filed by this applicant to the notice given by the Investigating Officer under Section 35(3) of BNSS, this applicant mentioned that as another FIR No. 579 of 2025 is registered with Goregaon Police Station against this applicant and co-accused Nidhi Rana, they are apprehending arrest therein, therefore, they are unable to attend the police station. This prima facie shows that the applicant don't want to appear before the Investigating Officer and it may cause impediment in investigation.

11            There are direct allegations against this applicant. She is appears to be prime accused. Moreover, the applicant has criminal antecedents of similar crime, which is not disputed by the Ld. Advocate for the applicant. Even, she is not able to attend police station for investigation. Considering the nature of allegations and for the reasons stated above, I am not inclined to grant anticipatory bail application to this applicant. Hence, I pass the following order.

**ORDER**

1     Anticipatory Bail Application No. 1435 of 2025 of **applicant Parul Harbinder Rana** is rejected.

2     Anticipatory Bail Application No. 1435 of 2025 stands disposed off accordingly.

**(S. M. Agarkar)**

Date : 06/11/2025

Additional Sessions Judge,  
City Civil & Sessions Court,  
Borivali Div., Dindoshi, Mumbai.

Date of directly typed on computer : 06/11/2025

Checked & Signed by HHJ on : 10/11/2025

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

UPLOAD DATE 10/11/2025  
AND TIME : 01.10 p.m.

Mrs. P P Dabholkar  
NAME OF STENOGRAPHER

Name of the Judge (with Court Room No.)	HHJ Shri S.M. Agarkar (Court Room No.15)
Date of Pronouncement of Judgment/Order	06/11/2025
Judgment/Order signed by P.O. on	10/11/2025
Judgment/Order uploaded on	10/11/2025