

MHCC050061662022



**IN THE COURT OF SESSIONS AT DINDOSHI,  
BORIVALI DIVISION, GOREGAON, MUMBAI.**

**ANTICIPATORY BAIL APPLICATION NO.1851 OF 2022**  
**IN**  
**C.R.NO.955 OF 2022**

**NITIN RANA,**  
**S/o :Shri Mahi Pal Singh**  
Aged : 24 years,  
Residing at : House No.607,  
Galli No.5, Near Petrol Pump,  
Krishna Colony, Sehatpur,  
Faridabad-121003, Haryana. **...Applicant/accused.**

**V e r s u s**

**The State of Maharashtra**  
**(Versova Police Station) ...Respondent.**

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Shri Asheesh Raizada, Advocate for the Applicant/accused.  
Shri Nagesh Mishra, Advocate for the intervener.  
Shri R.D. Machewar, A.P.P for the State.  
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**CORAM : A.Z.KHAN,**  
**Additional Sessions Judge,**  
**Borivali Division, Dindoshi, Mumbai.**  
**(C.R.NO.09)**  
**Dt.25<sup>th</sup> November, 2022.**

**ORDER**

1. The present application is filed by the applicant/accused for the Anticipatory Bail. Perused the application and say thereon vide Exh.8. Heard the learned advocate Shri Asheesh Raizada for the applicant/accused, the learned advocate Shri Nagesh Mishra for the intervener & the learned A.P.P Shri R.D. Machewar for the State. I have gone through the case papers, say of the police, Intervener application Exh.7 and the documents. It is seen that the present applicant/accused alleged to have been committed the offences punishable u/s 376(2)(n) & 506 of The Indian Penal Code in C.R No.590 of 2022 wherein the offence is registered in Versova Police Station, Mumbai.

2. It is pertinent to note here that the report lodged by the complainant/victim alongwith the statements of the witnesses and the documents filed by the parties on record etc clearly shows that the complainant is a Actor and the applicant/accused is the photographer who both work in the film industry and having well acquaintance with each other. Moreover, the complainant and the applicant/accused fell in love with each other wherein the present applicant/accused made the sexual intercourse with the complainant since 12.11.2021 to 28.09.2022 under the pretext of the marriage forcefully but the complainant came to know that the present applicant/accused is having illicit relationship with the another girl and avoided to marry with the complainant whereby the complainant lodged the report in which police investigated the matter and recorded the statements of the witnesses.

3. Obviously, the complainant is a Actor and the

applicant/accused is the photographer who both work in the film industry and having well acquaintance with each other in which the applicant/accused alleged to have been made the sexual intercourse with the complainant since 12.11.2021 to 28.09.2022 under the pretext of the marriage forcefully but ultimately failed to marry and kept the relation with another girl at the same type which itself shows that the applicant/accused kept the relation with the complainant with intent to cheat her from the very inception of the relation. No doubt, the offence is serious and against the women wherein the present applicant/accused took the photographs etc whereby the custodial interrogation of the applicant/accused is indeed essential otherwise the right to interrogate the present applicant/accused by the investigation Officer would be taken away which would certainly affect the case of the prosecution & ultimately the case of the complainant on merit.

4. In such circumstances, I am of the view that this is not the fit case in which the applicant/accused can be released on anticipatory bail u/s 438 of The Cr.P.C & thus I proceed to pass the following order.

### **ORDER**

The application is hereby rejected.

**(A.Z.Khan)**

Additional Session Judge,  
Borivali Div, Dindoshi,  
Mumbai.

**Date :- 25.11.2022.**

Dictated on : 25.11.2022.  
Transcribed on : 25.11.2022.  
Checked and Signed on : 25.11.2022.

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

**25.11.2022 at 05.30 P.M.**  
**UPLOAD DATE AND TIME**

**Ashok S. Sugdare**  
**NAME OF STENOGRAPHER**

Name of the Judge (With Court room no.)	<b>SHRI. A. Z. KHAN</b> (C.R. NO.09)
Date of Pronouncement of JUDGMENT/ ORDER	<b>25.11.2022</b>
JUDGMENT/ORDER signed by P.O. on	<b>25.11.2022</b>
JUDGMENT/ORDER uploaded on	<b>25.11.2022</b>