

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CRIMINAL WRIT PETITION NO.557 OF 2017

01 Sheetal w/o Nilesh Sonar,
age: 33 years, Occ: Household;

02 Nilesh s/o Madhukar Sonar,
age: 35 years, Occ: service;

Applicant Nos.1 and 2 are
residing at D-101, High bliss
Housing Society, Rajyog Colony,
Near Akurdi Station, Gurudwara
Chowk, Walekar Wadi, Chinchwad,
District Pune.

03 Priyanka w/o Rishikesh Nashikkar,
age: 31 years, Occ: service;

04 Hrishikesh s/o Deepak Nashikkar,
age: 34 years, Occ: service;

Applicant Nos.3 and 4 are
residing at C-604, Aparna Hill Pack,
Avenue City, Chand Nagar,
Telangana, Hyderabad.

Petitioners

Versus

01 The State of Maharashtra,
through West Deopur Police Station,
Dhule.

02 Sau.Shubhangi Mukesh Bhamre,
age: 24 years, Occ: Household,
R/o Gyandeep Society,
Chawra School Road, Walwadi,
District Dhule.

Respondents

Mrs.S.T.Kazi, advocate for petitioners.
Mr.V.M.Kagane, A.P.P. For Respondent No.1.
Mr.Amit Salve, advocate for Respondent No.2.

**CORAM : R.M.BORDE AND
A.M.DHAVAL, JJ.
DATE : 06th July, 2017.**

ORAL JUDGMENT (Per R.M.Borde, J.) :

1 Heard. Rule. Rule made returnable forthwith and heard finally by consent of learned Counsel for respective parties.

2 Petitioner no.1 and petitioner no.3 are sister-in-laws of respondent no.2 (informant), whereas petitioner no.2 is husband of petitioner no.1 and petitioner no.4 is husband of petitioner no.3. Petitioners No.1 and 2 are residing at Chinchwad, Pune, whereas, petitioners no.3 and 4 are residing at Hyderabad. Petitioners are praying to quash the proceedings initiated against them in pursuance to lodging of First Information Report by respondent no.2 bearing Crime No.18/2017, dated 24.02.2017, for commission of offence punishable under Sections 498-A, 406, 323, 506 read with Section 34 of the Indian Penal Code at West Deopur Police Station, Dhule.

3 We have perused the First Information Report lodged by the informant on 24.02.2017. The only allegation levelled against petitioners is in respect of alleged act of abusing the informant some 15/20 days after her marriage. The marriage of the informant took place on 27.02.2015 with one Mukesh Bhamre. Admittedly, the informant and her family members are residing at Dhule, whereas, petitioners are residing at Chinchwad, Pune and Hyderabad, respectively. The allegations levelled against petitioners are quite vague in nature and those allegations if taken at their face value, do not constitute offence punishable under

Section 498-A of the Indian Penal Code. So also, there are no allegations in respect of commission of offence punishable under Sections 323, 504, 506 read with Section 34 of the Indian Penal Code, as against petitioners.

4 In our opinion, petitioners have been unnecessarily roped in the crime. Therefore, the request made by the petitioners to quash the criminal proceedings initiated against them deserves to be accepted.

5 For the reasons recorded above, proceedings initiated against the petitioners in pursuance to lodging of First Information Report by respondent no.2 bearing Crime No.18/2017, dated 24.02.2017, for commission of offence punishable under Sections 498-A, 406, 323, 506 read with Section 34 of the Indian Penal Code at West Deopur Police Station, Dhule, stands quashed.

6 Rule is made absolute to the extent above.

A.M.DHAVALÉ
JUDGE

adb/crwp55717

R.M.BORDE
JUDGE