

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Application No.799 of 2018

- 1) Balu s/o Arjun Jadhav,
Age 24 years,
Occupation : Labour
R/o. Jondhale Mala, Walki,
Taluka Daund, District Pune.
- 2) Arjun s/o Devrao Jadhav,
Age 51 years,
Occupation : Labour
R/o. Jondhale Mala, Walki,
Taluka Daund, District Pune.
- 3) Ashabai w/o Arjun Jadhav,
Age 46 years,
Occupation : Household,
R/o. Jondhale Mala, Walki,
Taluka Daund, District Pune.
- 4) Shivaji s/o Arjun Jadhav,
Age 27 years,
Occupation: Labour,
R/o. Jondhale Mala, Walki,
Taluka Daund, District Pune.
- 5) Sunita w/o Shivaji Jadhav,
Age 24 years,
Occupation : Household,
R/o. Jondhale Mala, Walki,
Taluka Daund, District Pune.
- 6) Baburao s/o Laxman Hatagale,
Age 55 years,
Occupation: Labour,
R/o Govindwadi,
Taluka Georai, District Beed. .. **Applicants.**

Versus

- 1) The State of Maharashtra
Through Police Inspector of
Ambad Police Station,
Taluka Ambad, District Jalna.
- 2) Arti @ Sheetal w/o Balu Jadhav,
Age 22 years,
Occupation: Household,
R/o. Rohilgad, Taluka Ambad,
District Jalna.

.. Respondents.

Shri. Angad L. Kanade, Advocate, for applicants.

Shri. S.B. Pulkundwar, Additional Public Prosecutor, for
respondent No.1.

Shri. H.V. Dhage, Advocate, for respondent No.2.

**Coram: T.V. NALAWADE &
K.L. WADANE, JJ.**

Date: 22 JUNE 2018

JUDGMENT (Per T.V. Nalawade, J.):

- 1) Rule, rule made returnable forthwith. By
consent, heard both sides for final disposal.
- 2) The proceeding is filed under section 482 of the
Code of Criminal Procedure for relief of quashing of F.I.R.
No.322/2017 registered in Ambad Police Station for
offences punishable under sections 498-A, 323, 504, 34
etc. of the Indian Penal Code.

3) The first informant is the wife of applicant No.1 Balu. Applicant No.2 is father of applicant No.1. Applicant No.3 is mother of applicant No.1. Applicant No.4 is brother of applicant No.1. Applicant No.5 is wife of applicant No.4 and applicant No.6 is a distant relative of the husband.

4) Allegations are made by the wife of applicant No.1 that after the marriage, which took place on 1-9-2017, she was treated well only for 7 to 8 months of the marriage and after that ill-treatment was started by all the applicants to her. Allegations are made against applicant No.6 Baburao that he was saying that he would find a wife for applicant No.1 as the first informant was not able to do even household work. Thus, according to her, initially ill-treatment was there on the ground that she was not able to do any work.

5) The first informant has made allegations that subsequently applicant Nos.2 and 3 asked her to bring Rs.50,000/- for purchasing a motor cycle for the husband. This demand was not met with and ill-treatment was given.

6) It is the case of the first informant that she requested her husband to shift to Rohilgad, the place of her parents and work there to earn livelihood. She has admitted that the husband shifted to that place and she cohabited with him in that village for about one year. After that the husband returned to his native place and while leaving he warned the first informant to bring Rs.50,000/- Report came to be given on 24-11-2017.

7) The papers of investigation show that attempt was made by the Grievance Cell to settle the dispute. Grievance of the first informant was mainly against the husband. He showed readiness to take the wife to his house but the wife was not ready to return. Thus, apparently there are no serious allegations against applicant Nos.2 to 6 and the grievance of the wife is mainly against the husband. There was no demand from other applicants of any money or article. Even when applicant Nos.4 to 6 were residing at other place they are made accused and the distant relative-applicant No.6 is also made accused. In view of these facts and circumstances of the present matter this Court holds that

relief needs to be given to applicant Nos.2 to 6. In the result, the application of applicant Nos.2 to 6 is allowed. In terms of prayer clause (B). The application of applicant No.1 is dismissed. Rule made absolute in aforesaid terms.

Sd/-
(K.L. WADANE, J.)

Sd/-
(T.V. NALAWADE, J.)

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