

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

CRIMINAL APPLICATION NO.545 OF 2021

Varsha w/o Eknath Mote

Applicant

Versus

The State of Maharashtra & another

Respondents

Mr. D. D. Sarawade Patil, advocate for the applicant
Mrs. P. V. Diggikar, A.P.P. for Respondent No.1-State
Respondent No.2 served.

**CORAM : SUNIL P. DESHMUKH &
NITIN B. SURYAWANSHI, JJ.**

DATE : 31st August, 2021.

PC :

1. Heard learned Counsel for the applicant and learned A.P.P. for the Respondent-State. None appears for Respondent No.2, though duly served.

2. By this application, the applicant seeks quashing of the FIR at Cr. No.56/2021, registered with Gevrai Police Station, District Beed, for the offences under Sections 498A, 323, 504 read with Section 34 of the Indian Penal Code.

3. The applicant is sister-in-law of Respondent No.2. The marriage of Respondent No.2 with the brother of the applicant took place on 14.05.2015 and after the marriage, Respondent No.2 started residing with her in-laws at Daithan, Tq. Gevrai, District Beed. In the FIR, there are no specific allegations against the present applicant and it is the case of the present applicant that she got married in the year 2007 and since then, she is residing at Aurangabad with her husband. She had no occasion to repeatedly go to her maternal house to illtreat the Respondent No.2.

4. Taking into consideration the above aspects and the fact that vague and general allegations are levelled against the applicant as she is residing with her husband at Aurangabad since 2007, coupled with the fact that the FIR does not make out any ingredients of Section 498A of the IPC to the extent of applicant, Criminal Application is allowed. The FIR at Cr. No.56/2021, registered with Gevrai Police Station, District Beed, for the offences under Sections 498A, 323, 504 read with Section 34 of the Indian Penal Code, is quashed and set aside to the extent of the applicant.

(NITIN B. SURYAWANSHI)
JUDGE

(SUNIL P. DESHMUKH)
JUDGE

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