

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

69 CRIMINAL WRIT PETITION NO.464 OF 2020
WITH APPLN/862/2020

NAVNATH S/O. DHONDIRAM VETAL
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Petitioner : Mr. S. S. Panale
APP for Respondent no.1-State : Mr. A. S. Shinde
Advocate for Respondent no.2 : Mr. S. S. Kulkarni
...

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

DATED: 6th SEPTEMBER, 2021.

P.C. :

This writ petition is filed seeking quashing of the FIR at C. R. No. 54 of 2020, for the offences punishable under Sections 323, 498-A, 504, 506 read with Section 34 of IPC and under Section 3 & 4 of Dowry Prohibition Act, registered with Pundlik Nagar Police Station, Aurangabad lodged at the instance of respondent no.2. After completion of investigation, charge sheet is filed and case is numbered as RCC No.362 of 2020, which is pending in the court of 12th Judicial Magistrate, First Class, Aurangabad.

2. In the FIR, respondent no.2 has arrayed total nine persons as accused including husband, mother-in-law, sister-in-law of the sister-in-law, sister of mother -in-law, her husband, brothers of the

mother-in-law and the present petitioner who is husband's cousin. Omnibus allegations are made that all the accused persons used to harass the first informant on account of bringing money for her maternal home for construction of the house. They used to illtreat her by insulting her and abusing her and by assaulting her by slapping.

3. Admittedly, the petitioner does not stay along with the family of the first informant and he stays separately. It appears from the record that only with a view to harass the petitioner and in-laws, distinct relatives are implicated in the present offence. There is no specific role attributed to the petitioner.

4. Taking into consideration the material placed on record, we are convinced that continuation of the proceedings against the petitioner is an abuse of process of law. We therefore quash the proceedings of RCC No. 362 of 2020 to the extent of petitioner, which is pending in the court of 12th Judicial Magistrate, First Class, Aurangabad.

5. Writ petition is allowed in above terms.

(N. B. SURYAWANSHI, J.) (SUNIL P. DESHMUKH, J.)

vsm/