

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CRIMINAL APPLICATION NO.1309 OF 2020

1. Harbans Singh s/o Darshan Singh Bedi,
Age: 42 Years, Occupation: Advocate,
2. Darshan Singh s/o Pratap Singh Bedi,
Age: 70 Years, Occupation: Retired/Pensioner,
3. Prakash Kaur w/o Darshan Singh Bedi,
Age: 62 Years, Occupation: Housewife,

All R/o: B-9, Yogeshwari Silver Park,
Near Renuka Gas Agency, Ulkanagri,
Aurangabad.

... APPLICANTS
[Orig. Accused No.1 to 3]

VERSUS

1. The State of Maharashtra.
2. Parmeet Kaur w/o Harbans Singh Bedi,
Age: 37 Years, Occupation: Lecturer,
RE/o. Row House No.1, Reema Niwas,
Nagina Nagar, Itkheda, Paithan Road,
Aurangabad.

... RESPONDENTS
[Res No.2 Orig. First Informant]

...

Mr. K. C. Sant, h/f Mr. Aditya Ayachit, Advocate for Applicants.

Mr. R. B. Bagul, APP for Respondent/State.

Mr. A. D. Ostwal, Advocate for Respondent No.2.

...

CORAM : **T. V. NALAWADE &
M. G. SEWLIKAR, JJ.**

DATE : 25th February, 2021.

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

. The application is filed for relief of quashing and setting aside C.R. No.217 of 2020, registered with Satara Police Station, District Aurangabad, for offences punishable under Sections 498-A, 323, 504, 506 read with 34 of the Indian Penal Code. Relief is also claimed to quash and set aside the case filed in this crime like R.C.C. No.1692 of 2020.

2 Both the sides are heard.

3 The crime was registered on the basis of report given by Respondent No.2. Applicant No.1 is the husband of Respondent No.2 and Applicant Nos.2 and 3 are the parents of Applicant No.1. The marriage between Applicant No.1 and the informant took place in the year 2006. It is her contention that after the marriage, she started cohabiting with Applicant No.1 where Applicant Nos.2 and 3 were also living. She has specifically mentioned that they were residents of Flat No.B-9, Yogeshwari Silver Park, Ulkanagri, Garkheda, Aurangabad.

4 It is the contention of the informant that right from the beginning, the Applicants started harassing her by saying that proper

gold ornaments were not given in the marriage, proper furniture was not given and the furniture was not branded one. It is contended that the Applicants were saying that the clothes, which were gifted, were also of low quality and on those counts the Applicants started teasing her and harassing her.

5 It is the contention of the informant that Applicant No.3 was saying that other brides, who were better looking and who were ready to give better gifts including four wheeler, had given offer of marriage to Applicant No.1 and the Applicants had committed mistake in accepting the informant as bride of Applicant No.1. It is her contention that the Applicants then started insulting her relatives on parent's side.

6 It is the contention of the informant that her husband was saying that the informant was brought up in village and so she was not suitable for him. It is contended that Applicant Nos.2 and 3 were saying that Applicant No.1 was working in High Court as Advocate, he was making handsome income and they in fact wanted educated bride for Applicant No.1. It is contended that then Applicants started asking her to bring a four wheeler and money for getting good accommodation and for purchasing proper ornaments. It is her contention that the demand of rupees twenty lakh was made and when

she expressed that her parents were not in position to meet that demand, she was severely beaten by the husband and Applicant Nos.2 and 3 started saying that they would see to it that divorce is obtained by Applicant No.1 against the informant and he marries second wife. It is contended that Applicant No.2 was saying that he was retired judicial officer and so nobody can do anything against him. It is contended that threat was given to falsely implicate the father of informant in criminal case. It is contended that in 2016, she delivered a female child and due to that the Applicants became more angry as they wanted to have a son from informant. It is contended that ultimately her signatures were obtained by giving threat of life to her and in the year 2018 she was driven out of the matrimonial house by saying that she should bring rupees thirty lakh from her parents.

7 The learned counsel for Applicants submitted that Applicant Nos.2 and 3 were not living with Applicant No.1. He has placed reliance on a copy of FIR dated 15th January, 2016 given by Applicant No.1. He had given report of theft from his house and he had contended that he was living there with his wife. Admittedly, the addresses of the Applicants are similar. The learned counsel for Applicants submitted that though addresses are similar, Applicant Nos.2 and 3 are living separate from Applicant No.1. This will be the defence of Applicant Nos.2 and 3 during trial. At present, there are

allegations of aforesaid nature against all the three Applicants and they are sufficient to make out *prima-facie* case for aforesaid offences. This Court holds that it cannot be said that there is no material at all against the Applicants. In the result, the application stands dismissed.

[M. G. SEWLIKAR, J.]

[T. V. NALAWADE, J.]

ndm