

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

CRIMINAL APPLICATION NO. 4280 OF 2019

1. Rajesh Ramsunder Shinde, .. Applicants
Age.36 years, Occ. Service,
Residing at Plot No.4-18-34/P,
Pushapanjali Colony,
New Shantiniketan Colony Road,
Jawahar Nagar, Aurangabad.
2. Malti wd/o. Ramsunder Shinde,
Age. 66 years, Occ. Household,
Residing at above address.
3. Anjali w/o. Prem Kulkarni
Age. 43 years, Occ. Service,
Residing at Bidkin, Tq. & Dist.
Aurangabad.
4. Sushma w/o. Kishor Kale,
Age.41 years, Occ. Household,
Residing at Waluj Mahanagar, Aurangabad.
5. Jyoti w/o. Uttamrao Jadhav,
Age.39 years, Occ. Household,
Residing at Bhavsingpura, Aurangabad.
6. Bharti w/o. Pramod Magre,
Age. 33 years, Occ. Private Employment,
Residing at Old Baijapura, Aurangabad.

Versus

Pooja w/o. Rajesh Shinde, .. Respondent
Age. 26 years, Occ. Household,
Residing at c/o. Mr. Anil Tulshiram Lokhande,
House No.15, Niwas Colony,
Shahanoorwadi, Aurangabad.

Mr.Hemant Surve, Advocate for the applicants.
Mr.Swapnil S. Patil, Advocate for sole respondent.

CORAM : N.R.BORKAR, J.
DATED : 21.10.2021

PC :-

01. By this application under Section 482 of the Code of Criminal Procedure the applicants have sought quashing of P.W.D.V. Application No.437 of 2018 pending on the file of Judicial Magistrate, First Class, Aurangabad.

02. The respondent herein has filed aforesaid P.W.D.V. application under Section 12 of the Protection of Women from Domestic Violence Act, 2005, for various reliefs.

03. The marriage of the respondent was solemnized with applicant No.1 on 01.01.2017. Applicant No.2 is mother-in-law and applicant Nos.3 to 6 are married sisters-in-law of the respondent.

04. On the basis of complaint lodged by the respondent alleging ill-treatment at the hands of applicants, Crime No.75 of 2018 was registered against applicant Nos.1,2,4 and 6 only for the offences punishable under sections 498-A, 323, 504, 506(B) of the Indian Penal Code.

05. Application under Section 482 of the Code of Criminal Procedure was filed before this Court for quashing of FIR No.75 of 2018 and this Court quashed the FIR to the extent of present applicant Nos.4 and 6 by observing that vague allegations are made against them.

06. Admittedly, applicant Nos.3 to 6 are married sisters-in-law of the respondent. Admittedly, their marriage took place much prior to the marriage of the respondent. No material of alleged ill-treatment was found against applicant Nos.3 and 5 during the investigation of Crime No.75 of 2008. This Court quashed the FIR against applicant Nos.4 and 6 by observing that

the vague allegations are made against them. Considering these facts and circumstances, the application filed by the respondent under Section 12 of the D. V. Act needs to be quashed to the extent of applicant Nos.3 to 6.

07. This court refused to quash the FIR against the applicant Nos. 1 and 2 by observing that, there are specific allegations of ill-treatment against them. I have perused the application filed by the respondent under Section 12 of the D. V. Act. There are specific allegations against the applicant Nos. 1 and 2 of the domestic violence.

08. In the result, the following order is passed :-

O R D E R

- i) The application is partly allowed.
- ii) The P.W.D.V. Application No.437 of 2018 to the extent of applicant Nos.3 to 6 is quashed.
- iii) Considering the facts and circumstances

(5)

cria4280.19

hearing of P.W.D.V. application is expedited and learned Magistrate shall endeavour to decide said application as early as possible and in any case within nine months from today.

[N . R . BORKAR , J .]