

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

68 CRIMINAL WRIT PETITION NO.651 OF 2021

**VEDANTIKA @ PRITI HARSHVARDHAN INGLE AND OTHERS
VERSUS**

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Petitioners: Mr. Kanade Angad L

APP for Respondent No.1: Mr. K. S. Patil

Advocate for Respondent No.2:

Mr. Sohel E. Siddiqui

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**CORAM: SARANG V. KOTWAL &
BHARAT P. DESHPANDE, JJ.**

DATE: 27th JUNE, 2022

PER COURT:

1. At the outset learned Counsel for the Petitioners points out that as per order dated 17.12.2021 the Petition, as far as Petitioner Nos.3, 4 and 5 are concerned, was dismissed as withdrawn. The Petition survives only in respect of Petitioner No.1 Vedantika @ Priti Harshvardhan Ingle and Petitioner No.2 George Robinson Shinde. Petitioner No.1 is sister-in-law of the first informant i.e. her husband's sister. Petitioner No.2 is the informant's husband's maternal uncle.

2. This Petition is for quashing of the proceedings pending before the Chief Judicial Magistrate, Jalna vide RCC No.1478/2021 under Sections 420, 468, 471, 498-A and 323 of the IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. The F.I.R. is lodged by the first informant i.e. Respondent No.2. She has stated that she got married with Pratin Patil on 28.12.2018. It is mentioned that after her marriage all the accused including the present Petitioners treated her well for some days. However, after about 2 months the husband and his parents started demanding Rs.25,00,000/- for starting a pharma company. The informant refused to pay the same and, therefore, they had harassed her. There are allegations that the Petitioner No.2 used to call her husband and his parents telephonically and used to instigate them. The F.I.R. mentions that the informant had asked her husband to show his Degree Certificate but he avoided to show her any such Certificate. It is

alleged that the informant went to Pune. There she got a job in a Bank as Assistant Manager. Even there the husband continued to harass her on the demand of Rs.25,00,000/-. She was forced to leave her job. She was taken back to Kolhapur. There again the husband, his parents and Petitioner No.1 harassed her and threw her out of her matrimonial house. After this; the F.I.R. is lodged, the investigation was carried out and the charge-sheet was filed.

4. Learned Counsel for the Petitioners submitted that Petitioner No.1 was resident of Pune. He relied on the Aadhar Card to show her residence at Pune. Respondent No.2 is resident of Jalna. He submitted that none of them could have caused harassment. He submitted that they are dragged only to pressurize the husband and his family.

5. Learned Counsel for Respondent No.2 submitted that apart from the offence under Section 498-A, there are allegations that the

informant was misled and cheated for marriage. Pratin does not have a degree as claimed. In that way she was cheated. She submitted that both these Petitioners had participated in the meeting when her marriage was fixed.

6. Learned APP supported the learned Counsel for Respondent No.2.

7. We have considered the submissions canvassed by the learned Counsel for respective parties.

8. We have perused the charge-sheet. The charge-sheet contains the statements of informant's father, uncle and brother. All these statements are similar. The allegations are confined to those made in the F.I.R. The F.I.R. itself shows that the harassment was made by the husband and his parents. The demand of money was also made by those accused specifically. Vague allegation was made against Petitioner No.2 that he had instigated her husband and parents

telephonically. The allegations against Petitioner No.1 are vague and general in nature. She was not even resident of Kolhapur i.e. at the informant's matrimonial place. In view of this matter, it is clear that both these Petitioners are dragged to pressurize the husband's family. Therefore, continuation of criminal proceedings against these 2 Petitioners would amount to abuse of process of law. The proceedings against these 2 Petitioners need to be quashed.

9. The application is partly allowed. The proceedings pending in the Court of the Chief Judicial Magistrate, Jalna, District - Jalna vide RCC No.1478/2021 arising out of C.R. No.269/2021 registered at S.B. Police Station, Jalna, District - Jalna are quashed and set aside *qua* Petitioner No.1 - Vedantika @ Priti Harshvardhan Ingle and Petitioner No.2 - George Robinson Shinde.

10. Criminal Writ Petition is disposed of.