

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 721 OF 2022

1. Sonal w/o Amit Kumar
2. Amit Kumar s/o Lalit Ram ...Applicants

VS.

1. State of Maharashtra
2. Vaijnath Dashrath Wadikar ...Respondents

Mr. Amey Deshpande - Advocate for the Applicants
Mr. J. P. Yagnik - APP for the Respondent-State

**CORAM : REVATI MOHITE DERE &
 S. M. MODAK, JJ.**

DATE : 10th OCTOBER, 2022

P. C. :-

1. Heard learned counsel for the parties.
2. By this application, preferred under Section 482 of the Criminal Procedure Code, the Applicants (being Sister-in-law and sister-in-law's husband), seek quashing of the F.I.R., registered vide C.R. No. 448 of 2022 with the Hadapsar Police Station, Pune, for the alleged offences

punishable under Sections 498A, 304B, 323, 506 of the Indian Penal Code.

3. Learned counsel for the Applicants submits that the allegation as against the Applicants alongwith the other accused is, a general allegation i.e. there was a demand for dowry. He submits that Applicants have never resided with the deceased and her husband. Learned counsel relied on the judgments of this Court in the case of **Sau. Mangala Ramdas Medhane and Ors. Vs. The State of Maharashtra and Ors.** in Criminal Writ Petition No. 193 of 2020, (decided on 20/10/2021) and the decision of the Apex Court in the case of **K. Subba Rao and Ors. Vs. The State of Telangana Rep. By its Secretary, Department of Home and Ors.** in Criminal Appeal No. 1045 of 2018, (decided on 21/08/2018).

4. Perused the F.I.R.. We are informed that investigation of the case is still in progress and that the Police have/are recording statements of witnesses.

5. The Applicants are arraigned as accused in the aforesaid C.R. alongwith other accused. The offences alleged are Sections 498-A, 304-B, 323 and 506 of the Indian Penal Code. The judgments relied upon by the Applicants are clearly distinguishable and will not apply to the facts in hand. Since investigation is in progress, at this stage, we do not deem it appropriate to entertain the aforesaid Application seeking quashing of the F.I.R..

6. Application is dismissed. Needless to state that, it is always open for the Applicants to file an appropriate application in the event charge-sheet is filed as against them.

7. Application is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

[S. M. MODAK, J.]

[REVATI MOHITE DERE, J.]