

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

CRIMINAL APPLICATION NO.147 OF 2022

Jamilabi w/o Salim Shaikh & ors. ... **APPLICANTS**

VERSUS

The State of Maharashtra & anr. ... **RESPONDENTS**

.....
Mr. Suniket A. Kulkarni, Advocate for applicants
Mr. M.M. Nerlikar, A.P.P. for respondent No.1.
Mr. G.R. Syed, Advocate for respondent No.2.
.....

**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.**

DATE : 21st JUNE, 2023

ORDER :

After having heard learned counsel for the applicants, we expressed disinclination to grant relief to the applicant No.1. Learned counsel for the applicants, therefore, comes around to withdraw the application of applicant No.1. Application of applicant No.1 stands disposed of as withdrawn.

2. The applicant No.2 is the brother-in-law and applicant No.3 is the sister-in-law of the informant. Close reading of the F.I.R. would indicate, general and omnibus allegations have been levelled against them. No details as to how, in what manner they had ill-

treated the informant, have been given. In such circumstances, allowing the prosecution to continue against the applicants No.2 and 3 would be nothing but futility. In view of the same, we are inclined to allow the application so far as the applicants No.2 and 3 are concerned. Hence the order :

ORDER

- (i) The Criminal Application is partly allowed.
- (ii) The F.I.R. bearing C.R. No.80/2021, registered at Chalisgaon Road Police Station, Dhule for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code and the consequential proceedings of R.C.C. No.658/2021, pending before the learned Judicial Magistrate, First Class, Dhule are quashed as against the present applicants No.2 and 3.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

fmp/-