

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.540 OF 2023

1. Abhijeet s/o Shrimant Shedole (withdrawn)
 2. Meera w/o Shrimant Shedole,
 3. Gayatri w/o Suresh Biradar,
 4. Shrimant w/o Amrutrao Shedole
 5. Savitri @ Savi w/o Digambar Bhusare
 6. Trupti w/o Mohan Gaikwad @
Trupti d/o Shrimant Shedole
 7. Rohini w/o Amit Lalwani @
Rohini d/o Shrimant Shedole
- ...Applicants

versus

1. The State of Maharashtra
 2. Sushmita w/o Abhijeet Shedole
- ...Respondents

...
Advocate for Applicants : Mr. Vikas G. Kodale
APP for Respondent No.1: Mr. R.V. Dasalkar
Advocate for Respondent No.2 : Mr. H.I. Pathan
.....

**CORAM : R. G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATED : 11th JULY, 2023.**

PER COURT :-

1. Heard. The learned advocate for the applicants, on instructions, withdraws the application of applicant Nos. 2 and 4/ parents in law of the respondent No.2 wife.
2. This application has been filed under Section 482 of Cr.P.C. for quashment of the F.I.R. No. 21 of 2022 registered with Aurad Shahajani police station, Tq. Nilanga, District Latur for the offences

punishable under Sections 498A, 323, 504, 506 r.w. 34 of I.P.C. and the consequential charge sheet bearing R.C.C. No. 617 of 2022 pending before the learned Judicial Magistrate, First Class, Nilanga, District Latur.

3. What can be gathered from the F.I.R. and the related police papers is that the respondent wife got married with co-accused Abhijeet in May, 2019. After marriage, she started residing at her matrimonial home at village Borsuri, Tq. Nilanga, district Latur. It is her case that husband, parents in law and the present applicants harassed and ill-treated her so as to coerce her to bring Rs.10,00,000/- from her parents for purchase of a flat. She was harassed and ill-treated physically and mentally. She was even starved. For festival, she joined her parents' home. None of her in laws came to get her back. When her father and uncle accompanied her to see her off at the matrimonial home, the in-laws allowed her. But thereafter, started ill-treating her once the father and uncle left the matrimonial home. It is also her case that in April, 2021 she was turned out of her matrimonial home. She therefore, approached Bharosa Cell, Office of the Superintendent of Police, Latur in November, 2021.

4. The learned A.P.P. and the learned advocate representing respondent wife would submit that the averments in the F.I.R. and the statements of relations of the respondent wife *prima facie* make out a

case to proceed against the applicants. According to them, no mini trial can be conducted here. They therefore urge for rejection of the application.

5. We do not advert to the submissions made by the learned advocate for the applicants, since those may be our reasons in support of the order. Suffice it to say that four married sisters in law who have been residing at different places of their respective matrimonial homes have been roped in without there being any specific incident of harassment or ill-treatment at their hands. As such, the allegations in the F.I.R. and the police statements appear to be vague, general and omnibus so far as these applicants are concerned. In such circumstances, directing these applicants to stand the trial would be an abuse of process of Court. We are therefore, inclined to allow this application. Hence, this application is allowed in terms of prayer clause "B".

6. The parents in law are more than 75 years of age. The parents in law shall appear before the trial court for framing of charge. Post framing of charge, the parents in law are granted permanent exemption from appearing before the trial court until the conclusion of the trial, provided their advocate shall take the trial to its logical end.

7. Needless to state, the learned Judge of the trial court may enforce the presence of the in-laws for recording of their statements

under Section 313 of Cr.P.C. etc. The learned advocate for the parents in law also undertakes that these applicants would co-operate with the trial of the case.

(SANJAY A. DESHMUKH, J.)

(R. G. AVACHAT, J.)

rlj/