

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

**CRIMINAL APPLICATION NO.775 OF 2022**

1. Swami Suresh Khand,
2. Suresh Dhondiba Khand,
3. Sandhya Suresh Khand,

*(Application dismissed against  
applicant nos.1 to 3 as per  
Court's order dated 14.03.2022)*

4. Vrushali Ravindra Khairnar,
5. Rvindra Jagannath Khairnar,
6. Vitthal Baburao Autade,
7. Dr. Archana Satish Khatal,
8. Ashwini Ashish Shinde

..Applicants

Vs.

The State of Maharashtra and anr.

..Respondents

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Mr.V.Y.Bhide, Advocate for applicants  
Mr.S.D.Ghayal, APP for respondent no.1  
Mr.R.R.Karpe, Advocate for respondent no.2

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**CORAM : SMT. ANUJA PRABHUDESSAI  
AND R.M.JOSHI, JJ.**

**DATE : JANUARY 02, 2023**

**ORDER :-**

This is an application under Section 482 of the Code of Criminal Procedure for quashing FIR No.0256 of 2021 registered with Akole Police Station, Dist. Ahmednagar, for the offences punishable under Sections 498-A, 323, 406, 504 and 506 read with Section 34 of Indian Penal Code so also the criminal proceedings, i.e. R.C.C. No.302

of 2021, pending on the file of learned Judicial Magistrate, First Class, Akole, Dist. Ahmednagar.

2. Heard learned counsel for the applicants, learned APP for respondent no.1 and learned counsel for respondent no.2.

3. The aforesaid crime was registered pursuant to the FIR lodged by respondent no.2, alleging that applicant no.1 (husband), applicant nos.2 and 3 (parents-in-law) and applicant nos.4 to 8, other family members of her husband, subjected her to cruelty.

4. Perusal of the FIR as well as the other statements reveal that the allegations of demand of dowry and harassment are specifically against applicant nos.1 to 3. Considering this aspect, by order dated 14.03.2022, this Court allowed applicant nos.1 to 3 to withdraw the application and dismissed the application as against these applicants as withdrawn.

5. The applicant no.4 is a married sister of applicant no.1 and applicant no.5 is the husband. Applicant no.6 is the maternal uncle, whereas applicant nos.7 and 8 are the cousins of applicant no.1. The only allegation against these applicants is that they were pressurising respondent no.2 (complainant) to give up her job and they would make critical comments about her weight. They would

insult her by saying that the role of a woman was limited to cooking and taking care of children, etc. The accusations made against these applicants do not constitute an offence under Section 498-A of I.P.C. There are no specific allegations against these applicants to indicate that they had committed criminal breach of trust or that they had abused, insulted or threatened the respondent no.2. In the absence of such material, continuation of proceedings against these applicants will be sheer abuse of process of law.

6. In view of the above, the application is allowed qua the applicant nos.4 to 8 in terms of prayer clauses (B) and (C). Consequently, FIR No.0256 of 2021 registered with Akole Police Station, Dist.Ahmednagar, for the offences punishable under Sections 498-A, 323, 406, 504 and 506 read with Section 34 of Indian Penal Code so also the criminal proceedings, i.e. R.C.C. No.302 of 2021, pending on the file of learned Judicial Magistrate, First Class, Akole, Dist. Ahmednagar, stand quashed.

[R.M. JOSHI, J.]

[SMT. ANUJA PRABHUDESSAI, J.]

KBP