

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

46 CRIMINAL APPLICATION NO.851 OF 2022

SATEJCHANDRA SIDHLINGAPPA WAGHMARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. Kadam Vishant P.
APP for Respondent No.1: Mr. M.M. Nerlikar
Advocate for Respondent No.2 : Mr. M.P. Kale
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**CORAM : R. G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATED : 17th JULY, 2023.**

PER COURT :-

1. Heard. The learned advocate for the applicants, on instructions, withdraws the application of applicant Nos. 1 and 2.

2. This application has been filed for quashment of F.I.R. No. 33 of 2022 registered with Purna police station, District Parbhani for the offences punishable under Sections 498-A, 323, 506 and 34 of I.P.C. to the extent of applicant No.3 Smita and the consequential charge sheet bearing R.C.C. No. 100 of 2022 in the court of J.M.F.C. Purna.

3. Perused the F.I.R. and the related papers. The applicant No.3 Smita is married sister in law of the respondent/informant (wife). Her marriage took place long before the respondent wife got married. Her matrimonial home is at Latur that is far away from the

matrimonial home of the respondent wife. Close reading of the F.I.R. would indicate that general, vague and omnibus allegations have been levelled against the applicant Smita. No specific incident of alleged ill-treatment by the present applicant has been highlighted either in the F.I.R. or in the statements of the relations of the respondent wife.

4. In our view, therefore, asking the applicant to stand trial would be an abuse of process of court. We are therefore, inclined to allow the application.

5. The, application, thus stands allowed in terms of prayer clause "B" the extent of applicant No.3 Smita, only. The consequential charge sheet bearing R.C.C. No. 100 of 2022 pending before the J.M.F.C. Purna is also quashed and set aside, to the extent of applicant No.3 Smita.

(SANJAY A. DESHMUKH, J.)

(R. G. AVACHAT, J.)

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