

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

CRIMINAL APPLICATION NO. 941 OF 2023

1. Priyanka Swapnil Petkar
2. Swapnil Arvind Petkar

..APPLICANTS

VERSUS

1. State of Maharashtra
2. Madhuri Mrutunjay Bhokare
@ Madhuri Asaram Khairmude

..RESPONDENTS

....

Mr. N.Y. Kingaonkar, Advocate for applicants
Mr. A.R. Kale, A.P.P. for respondent no.1 – State
Mr. G.K. Naik-Thigle, Advocate for respondent no.2

....

**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ
DATE : 01st AUGUST, 2023**

PER COURT :

1. This application, under Section 482 of Code of Criminal Procedure, has been filed for quashment of First Information Report ('F.I.R.'), being Crime No. 273 of 2022 registered with Peth Beed Police Station, Dist. Beed for the offences punishable under Sections 323, 498-A, 504 and 506 read with Section 34 of the Indian Penal Code and consequential charge-sheet bearing R.C.C. No. 191 of 2023 pending on the file of J.M.F.C., Beed.

2. Heard.

3. Sister-in-law of the informant and her husband are before the Court. Admittedly, both of them are residing at Kolhapur, while matrimonial

house of the informant is at Kalyan. The allegations against the present applicants are only to the effect that when both of them had been to Kalyan, they had made some false allegations against the informant which made a cause for quarrel between Respondent No.2 – wife and her husband. There is general and vague allegation in the F.I.R. that all the in-laws, including the present applicants, started teasing her (informant) and asked her not to return to her matrimonial house when she visited her parental house for Diwali festival. On the same lines are the statements of relations of Respondent No.2 – wife.

4. Learned A.P.P. and learned counsel for Respondent No.2 have strong reservation to grant the applicants relief.

5. According to us, no specific incident of ill-treatment at the hands of the present applicants has been highlighted. The averments are general and omnibus in nature and vague as well. Even if they are taken as it is, we find that no ingredient of offence punishable under Section 498-A of the I.P.C. would be invoked against them. Directing them to stand trial would be an abuse of process of Court.

6. In view of above, criminal application is allowed in terms of prayer clause (B).

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

SSD