

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

CRIMINAL APPLICATION NO. 1044 OF 2023

1. Nevichand Raghunath Bansode
2. Shashikala Raghunath Bansode
3. Harishchandra Raghunath Bansode
4. Trishala Harishchandra Bansode ..APPLICANTS

VERSUS

1. State of Maharashtra
2. Deepali Nevichand Bansode ..RESPONDENTS

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Mr. M.B. Sadashiv, Advocate for applicants
Mr. M.M. Neralikar, A.P.P. for respondent no.1 – State
Mr. H.V. Tungar, Advocate for respondent no.2

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**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ
DATE : 04th JULY, 2023**

PER COURT :

1. This application, under Section 482 of Code of Criminal Procedure, has been filed for quashment of the First Information Report ('F.I.R.'), being Crime No. 88 of 2023 registered with Shivaji Nagar Police Station, Dist. Beed for the offences punishable under Sections 498-A, 323, 324, 504 and 506 read with Section 34 of the Indian Penal Code and consequential charge-sheet filed in R.C.C. No. 175 of 2023, pending on the file of J.M.F.C., Beed.

2. Learned counsel for the applicants, on instructions, seeks withdrawal of the application for Applicant Nos. 1 and 2.

3. Learned A.P.P. and learned counsel for Respondent No.2 would submit that the F.I.R. gives details of ill-treatment from the year 2013 till filing of the same. Applicant Nos. 3 and 4 have also ill-treated Respondent No.2 – wife. Details thereof have been described in the F.I.R. and even in the statements of witnesses. They would, therefore, urge for rejection of the application.

4. We have closely perused the F.I.R. and related statements of the witnesses. Applicant No.3 is the brother-in-law of Respondent No.2, while Applicant No.4 is his wife. It is just illogical that a co-sister would ill-treat Respondent No.2 – wife to fetch money from her parents. Both these applicants have been residing away from the matrimonial home of Respondent No.2 – wife. Since the allegations against them are general, vague and omnibus, in our view, asking them to stand trial based on such material would be an abuse of process of Court.

5. In view of above, criminal application is allowed in terms of prayer clause (B) so far Applicant Nos. 3 and 4 are concerned. Criminal application stands disposed of as withdrawn for Applicant Nos. 1 and 2. If Applicant

No.2 – mother-in-law seeks exemption from appearing before the trial Court,
the Court concerned shall consider the same liberally.

SSD (SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)