

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CRIMINAL APPLICATION NO. 1313 OF 2023

- 1) Manda Sukhadev Sonawane (Sister in law)
Age: 21 years, Occu: Household/Education,
R/o Wadiramasgaon, Tq. Ghansangavi
Dist. Jalna.
- 2) Kalinda Aabasaheb Ranpise (Sister in law)
Age: 32 years, Occu: Household,
R/o Dagadwadi, Tq. Ambejogai, Dist. Beed.
- 3) Manisha Chetan Dubale (Sister in law)
Age: 26 years, Occu: Household,
R/o Morgaon Supe, Tq. Baramati, Dist. Pune.
- 4) Urmila Ankush Hiwale (Sister in law)
Age: 28 yrs Occ: Household,
R/o Golegaon, Tq. Ghansangavi, Dist. Jalna.

... **Applicants**
(Orig. Accused)

Versus

- 1) The State of Maharashtra,
Through police station
Patoda Police Station, Patoda
Tq. and Dist. Beed.
- 2) Shubhangi Prashant Sonawane,
Age: 22 years, Occu. Household,
At Present R/o at Manikrao Ganapat Tupe,
At Post Pitthi, Tq. Patoda, Dist. Beed.

... **Respondents**
(Resp.No.2 Ori. Complainant)

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Ms. Sunita G. Sonawane, Advocate for Applicants.

Mr. M. M. Nerlikar, APP for Respondent No.1 /State.

Mr. Pradeep Gurunath Tambade, Advocate for Respondent No.2.

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CORAM : **R. G. AVACHAT and
SANJAY A. DESHMUKH, JJ.**

DATE : 19th June, 2023.

J U D G M E N T : (Per Sanjay A. Deshmukh, J.)

. Rule. Rule made returnable forthwith and heard finally by the consent of the parties.

2 This is an application under Section 482 of the Code of Criminal Procedure, 1973, for quashing of the First Information Report (for short “FIR”) bearing Crime No.242 of 2020, registered with Patoda Police Station, District Beed, for the offences punishable under Sections 498-A, 494, 323, 504 and 506 read with 34 of Indian Penal Code, 1960 and the charge-sheet filed in the Court of the learned Judicial Magistrate First Class, Patoda, District Beed in R.C.C. No. 25 of 2021.

3 It is alleged by the informant that on 5th July, 2018, she married with the brother of the Applicants, namely Prashant Sukhadev Sonawane, resident of Wadiramasgaon, Taluka Ghansangavi, District Jalna. It is alleged that the applicants, parents-in-law and the

husband of the informant used to treat her with cruelty. They demanded Rs.1,00,000/- to the informant for purchasing Bolero Jeep. She could not fulfill that demand. At that time, accused beaten the informant with kicks and fists blows and threatened to hang her and commit her murder. It is further alleged that on 15th December, 2019, all the accused were gathered and they assaulted the informant at her parents house and demanded Rs.1,00,000/-, otherwise made demand for divorce.

4 The learned counsel for the applicants submitted that the allegations against the applicants, who are sisters-in-law, are vague and not correct. The same are not corroborated by any other material evidence. The applicants are residing with their husbands far away from their parents' house. The applicants have no occasion to visit the informant and demand Rs.1,00,000/- for purchasing a Bolero Jeep.

5 The learned counsel for the informant submitted that the names of the applicants are mentioned in the FIR. Their role is specifically stated that they participated in treating the informant with cruelty by demanding Rs.1,00,000/- for purchasing Bolero Jeep.

6 Perused the FIR and the statements of the witnesses. The FIR shows that the names of the applicants are mentioned in it only because they are sisters-in-law of informant. However, *prima-facie*, it is not shown that they have committed any overt act as alleged by the informant. There is no evidence of cruelty on their part. Considering all these aspects, it can be easily inferred that there is no *prima-facie* evidence against the applicants, who are residing with their husbands. Nowadays, there is tendency of false implication of the near relatives. The present case is one of the example of it. There is no point in conducting trial against the applicants.

7 Considering the aforesaid reasons, it would be proper to quash the FIR registered against the applicants. For the reasons discussed above, the argument of the learned counsel for the informant is not accepted in this regard.

8 In view of the above, the application is allowed in terms of prayer clause (B). No costs.

9 Rule is made absolute in the above terms.

[SANJAY A. DESHMUKH, J.]

[R. G. AVACHAT, J.]