

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1631 OF 2021

1. Shaikh Mahemudabi w/o Shaikh Jalil (withdrawn)
2. M. Jalil s/o M. Mansaf Bhai (withdrawn)
3. Shaikh Shakil s/o Shaikh Jalil (withdrawn)
4. Fatema Parveen w/o Sayyed Zahir
5. Shaikh Akhil s/o Shaikh Jalil (withdrawn)
6. Syed Altaf s/o Syed Hanif ...Applicants

versus

1. The State of Maharashtra
2. Shaikh Nagma Mohammad Shakil ...Respondents

.....  
Mr. G.R. Syed, advocate for the applicants  
Mr. R.D. Sanap, A.P.P. for respondent No.1  
Mr. P.P. Mandlik, advocate for respondent No.2  
.....

**CORAM : R. G. AVACHAT AND  
SANJAY A. DESHMUKH, JJ.  
DATED : 28<sup>th</sup> JUNE, 2023.**

**PER COURT :-**

1. Leave to amend.
2. The learned advocate for the applicants, on instructions, withdraws the application of applicant Nos. 1 to 3 and 5. The application of applicant Nos. 1 to 3 and 5 therefore, stands disposed of as withdrawn.
3. The applicants before this court are sister in law and maternal uncle of the informant's husband.

4. This is an application for quashment of F.I.R. No. 237 of 2021 registered with Jintur police station, district Parbhani for the offences punishable under Sections 498-A, 315, 316, 354, 294, 442, 323, 504, 506 r.w. 34 of I.P.C. and the consequential charge sheet bearing R.C.C. No. 197 of 2022 pending in the Court of learned J.M.F.C. Jintur.

5. The learned advocate for the informant and learned A.P.P. would submit that there are allegations against the applicants in the F.I.R. and the statements of the witnesses. It is therefore, not a fit case to grant the relief.

6. In our view, the allegations are general and omnibus. The applicant, sister in law, was married long before the marriage of the informant. Her matrimonial home is at village Bamni, District Parbhani. There are no details as to when she used to visit her parents house and ill-treat the informant. The same is the case about another applicant, maternal uncle of the informant's husband. He resides at Aurangabad, which is far away from the matrimonial home of the informant. Based on vague and omnibus allegations, allowing the applicants to face the prosecution would be an abuse of process of Court. Hence, the application is allowed in terms of prayer clause "B" to the extent of applicant Nos. 4 and 6.

**(SANJAY A. DESHMUKH, J.)**

**(R. G. AVACHAT, J.)**