

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

CRIMINAL APPLICATION NO.2280 OF 2022

Latabai Sharad Ishi & ors.

... **APPLICANTS**

VERSUS

The State of Maharashtra & anr.

... **RESPONDENTS**

.....
Mr. G.D. Jain, Advocate for applicants
Mrs. V.N. Patil Jadhav, A.P.P. for State
Mr. R.S. Pawar, Advocate for respondent No.2 (appointed)
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**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.**

DATE : 3rd NOVEMBER, 2023

ORDER :

Heard. Learned counsel for the applicants, on instructions, seeks leave to withdraw the application of applicants No.1 and 3. The application of applicants No.1 and 3 thus stands disposed of as withdrawn.

2. Perused the F.I.R. and the related police papers. Now the applicants before us are – the wife of brother-in-law of the informant, the maternal uncle of the informant's husband, 3 cousin mothers-in-law and another brother-in-law of the informant.

3. What can be gathered from the F.I.R. and the related

papers is that, the respondent No.2 married co-accused Rahul in January 2018. Her parents spent a lot in the marriage. She thereafter started residing at her matrimonial home along with the original applicants No.1 to 5. The applicants No.6 to 9 were residing at some other town. The respondent No.2 was treated well for one year and one month of the marriage. The husband thereafter started asking her to fetch Rs.5 Lakhs from her parents so as to meet the expenditure incurred by him. The respondent No.2 expressed her inability to meet the demand since her parents were financially unsound. The husband, his mother and co-sisters, therefore, started harassing her physically and psychologically as well. They would also say that they did not want to see her get pregnant. The cousin mothers-in-law used to visit her matrimonial home every fortnight. They used to instigate the husband of the respondent No.2 to ill-treat her. The applicant Shantilal, maternal father-in-law had acted as a go between in settlement of marriage. When the informant related her woes to him, he instead abused and threatened her with dire consequences. Based on such allegations, the crime came to be registered and investigated as well.

4. The statements of relations of respondent No.2 are consistent with the averments in the F.I.R.

5. The application of the husband, his mother and another

brother Anil has already been withdrawn.

6. So far as regards applicants No.4 to 9 are concerned, although the allegations of ill-treatment have been attributed to them, no specific incident and details thereof have been highlighted in the F.I.R. As such, asking them to stand trial, based on such material, would be abuse of process of Court. We are, therefore, inclined to allow their application, in spite of there being strong objection by learned A.P.P. and learned counsel for respondent No.2.

7. In view of the above, the application of applicants No.4 to 9 is allowed in terms of prayer clause (B).

8. The Criminal Application stands disposed of.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

fmp/-