

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

CRIMINAL APPLICATION NO. 2895 OF 2022

Sneha Dadarao Jadhav

..APPLICANT

VERSUS

State of Maharashtra and Another

..RESPONDENTS

....

Mr. R.R. Imale, Advocate for applicant

Mr. M.M. Neralikar, A.P.P. for respondent no.1 - State

Ms. A.S. Jadhavar, Advocate for respondent no.2 (appointed)

....

**CORAM : SMT. ANUJA PRABHUDESSAI AND
R.M. JOSHI, JJ.**

DATE : 30th JANUARY, 2023

PER COURT :

1. Heard finally at admission stage with consent of learned counsel for the respective parties.

2. This is an application under Section 482 of Code of Criminal Procedure to quash the F.I.R. bearing C.R. No. 96 of 2022 registered at Aurad Shahajani Police Station, Dist. Latur for the offences punishable under Sections 498-A, 323 and 504 read with Section 34 of the Indian Penal Code.

3. The aforesaid crime was registered pursuant to the F.I.R. lodged by the Respondent No.2 against her husband and his family members alleging

that she was subjected to physical and mental cruelty. Certain allegations were also made against the present applicant, who is not the relative of the husband or his family members.

4. Section 498-A of the Indian Penal Code was introduced to prevent cruelty to a woman from her husband or by relatives of her husband. Since the applicant is in no way related to the husband or his family members, the charge under Section 498-A I.P.C. is not maintainable. Furthermore, learned A.P.P. states that the investigation is over and the charge-sheet has been filed only against the husband and his family members. He has further stated that since the applicant herein is not the relative of the husband of Respondent No.2, no charge-sheet has been filed against the applicant. He has placed on record the report submitted by the Investigating Officer.

5. In view of above, criminal application is allowed in terms of prayer clause (C). Consequently, the F.I.R. bearing C.R. No. 96 of 2022 registered at Aurad Shahajani Police Station, Dist. Latur stands quashed qua the applicant.

6. Fees of Ms. A.S. Jadhavar, learned counsel, appointed to represent Respondent No.2, is quantified to Rs.6,000/- (Rupees Six Thousand).

(R.M. JOSHI, J.)
SSD

(SMT. ANUJA PRABHUDESSAI, J.)