

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

CRIMINAL APPLICATION NO.3139 OF 2022

Kondabai w/o Narayan Kudake & ors. ... **APPLICANTS**

VERSUS

The State of Maharashtra & anr. ... **RESPONDENTS**

.....
Mr. S.C. Swami, Advocate for applicants
Mrs. V.N. Patil Jadhav, A.P.P. for respondent No.1.
Mr. R.K. Ashtekar, Advocate for respondent No.2.
.....

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

DATE : 4th SEPTEMBER, 2023

ORDER :

Heard. On close reading of the F.I.R., it is evident that the allegations against the applicants No.2 to 4 are general, vague and omnibus. No specific incident of ill-treatment at their hands has been highlighted. We are, therefore, inclined to allow the application of applicants No.2 to 4. As such, the application of applicants No.2 and 3 is allowed in terms of prayer clause (B).

2. So far as applicant No.1 - mother-in-law of the respondent No.2 is concerned, we expressed disinclination to allow her application. Learned counsel for the applicants, therefore, came around to withdraw the application of applicant No.1. The

application of applicant No.1 thus stands disposed of as withdrawn. Considering the age of applicant No.1 to be 75 years, the trial Court is directed to grant her exemption from appearing before it during trial, except whenever her presence is required it may enforce the same. The learned Advocate representing her would co-operate with the trial Court to take the matter to logical conclusion. The observations made herein are prima facie and the trial Court shall not be influenced by the same.

3. The Criminal Application stands disposed of.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

fmp/-