



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO. 347 OF 2024

1. Sonali Pradeep Thombre (Neighbour),
Aged about 33 yeas, Occupation
Housewife.
2. Pradeep Mohanrao Thombre,
(Neighbour), Aged about 42 years,
Occupation Service.
Both R/o Jawahar Nagar, Arihant Colony,
J-21, In front of Jain Temple, District
Chhatrapati Sambhaji Nagar
(Maharashtra).

Applicants

-Versus-

1. State of Maharashtra, Through Police
Station Officer, Police Station, Chikhali,
Tah.Chikhali, district Buldhana.
2. Sau.Kalpana Pushkar Randhumal, Aged
about 29 years, Occup. Private Work, R/o
Shelgaon Jahangir, Chikhali, Tah. Chikhali,
District, Buldhana.

**Non-
applicants.**

Mr.K.E.Meshram counsel h/f Mr.I.S.Charlewar, counsel for the
applicants.

Mr.Amit Chutke, APP for the non-applicant State.

**CORAM : VINAY JOSHI AND
VRUSHALI V. JOSHI, JJ.**

DATE : 12th APRIL, 2024

ORAL JUDGMENT (Per : Vinay Joshi, J.)

Heard.

2. **Admit.** The application is heard finally with the consent of the learned counsel for the parties.

3. This is an application seeking to quash the First Information report vide Crime No.0063 of 2024 registered with Police Station Chikhli, District Buldhana for the offence punishable under Sections 498-A, 323, 504 and 506 r/w 34 of the Indian Penal Code. The informant lady though served, she is absent.

4. At the instance of report lodged by the informant crime has been registered against the relatives of informant's husband and present applicants. Bare perusal of First Information Report discloses that the applicants are neighbouring residents. It is alleged that the applicants also used to quarrel her and asked her to bring money from parental house.

5. It is apparent from the Police report itself that applicants are neither close nor distant relatives of the informant lady. The law in this regard is fairly well settled. Supreme Court in the case of **U.Suvetha Vs. State by Inspector of Police and anr.** reported in **(2009) 6 SCC 757** has clarified the position that the persons other

than relatives cannot be brought within the compass of Section 498-A of the Indian Penal Code. In view of that, the prosecution against present applicants is wholly unsustainable.

6. In view of above, the Criminal Application is allowed. We, hereby quash and set aside the First Information Report vide Crime No.0063 of 2024 registered with Police Station Chikhli, District Buldhana for the offences punishable under Sections 498-A, 323, 504 and 506 r/w 34 of the Indian Penal Code.

(VRUSHALI V. JOSHI, J)

(VINAY JOSHI, J)