



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

9 CRIMINAL WRIT PETITION NO. 203 OF 2025

Suraj Digamber @ Devdatta Bansode and others

VERSUS

The State of Maharashtra and another

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Advocate for the Petitioners : Mr. Avinash A. Phad

APP for Respondent No.1: Mrs. Rashmi P. Gour

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**CORAM : SMT. VIBHA KANKANWADI AND
SANJAY A. DESHMUKH, JJ.**

DATED : 28th FEBRUARY, 2025

PER COURT :-

1. The present petition has been filed for quashing the F.I.R. vide C.R. No. 83 of 2025, dated 06.02.2025 registered with M.I.D.C. Police station, Latur, for the offences punishable under sections 85, 115, 352, 351 (2), and 3 (5) of Bhartiya Nyaya Sanhita, 2023.

2. Heard learned advocate for the petitioners and the learned A.P.P. for respondent No.1. It is not necessary to issue notice to respondent No.2.

3. Learned advocate for the petitioners, after taking us through the contents of the F.I.R., submits that the F.I.R. is full of concoction, there are no specific instances given and only omnibus allegations are made.

4. What is not in dispute is that the marriage between respondent No.2 and petitioner No.1 took place on 11.06.2023.

5. Perusal of the F.I.R. would show that respondent No.2 has stated that she was treated properly for some days after the marriage and thereafter, the husband and other persons in the house, started harassing her on the ground that she is unable to cook the food properly. She was unable to do the work in house, and they are not liking her, humiliating treatment was given to her on trifle matters. She was assaulted and kept starved. Husband had asked and stated that he likes another girl and therefore, she should not keep any hope from him in the capacity as a husband. The parents in law asked her to behave as per the wish of the husband. After some days, she was asked to bring amount from her parents for purchase of house as well as for T.V. When she told the same to her parents, she was again abused. Even the brother-in-law had given abusive words. In spite of efforts to persuade the husband and in-laws, it had not yielded a positive response. Later on, the husband and in-laws had threatened her if she does not leave house and then her mother was called and asked to take back the informant with her. Thereafter, also there was demand of Rs.10,00,000/- for purchase of house and T.V.

6. According to us, at this stage when the investigation is still going on, the ingredients are then prima facie attracted. It cannot be said to be omnibus, if at all, that can be explained in the supplementary statement. Respondent No.2 contends that she has been subjected to cruelty and therefore, there has to be an investigation in respect of her allegations. We do not want to stall the investigation and therefore, this is not the stage where we can throw away the F.I.R. on the points raised on behalf of the petitioners. The writ petition is dismissed at the threshold.

(SANJAY A. DESHMUKH, J.)

(SMT. VIBHA KANKANWADI, J.)

rlj/