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

928 CRIMINAL APPLICATION NO. 591 OF 2020

DILIP S/O. YOHAN AVTADE

VERSUS

SMITA W/O. DAVID AVTADE AND OTHERS

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Mr Rajendra H. Wagh, Advocate for Applicant

Ms V. H. Sangole, Advocate for Respondent No.1

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 25th NOVEMBER 2025

P. C. :

1. The applicant is challenging the proceedings bearing Criminal M. A. No.682/2019 filed by respondent No.1 against present applicant before the learned Judicial Magistrate First Class, Ahmednagar. Present applicant is brother-in-law of respondent No.1 and arrayed as respondent No.2 in the said complaint.

2. I have perused the complaint. At paragraph Nos.1 and 2, there is short reference of general allegations against respondents therein that they were demanding the amount of Rs.2,00,000/- for purchase of house. Apart from this, there is not a single sentence as regards involvement of present applicant in the said complaint.

3. According to learned Advocate for the applicant, respondent No.1 had filed missing complaint of her husband with the

(2)

Police Station, Kalwa, Dist. Thane, stating therein that her husband is missing since 22/10/2017. The said complaint was filed after two years. He further submits that the applicant is 61 years old and he has nothing to do with respondent No.1 or respondent No.4. The lodging of the aforesaid proceedings against present applicant is nothing but abuse of process of Court, and therefore, he prays for quashing of the said proceedings initiated against the applicant.

4. This matter was listed on 21/11/2025 after the year 2021 for the first time. Both the Advocates had sought time and the matter was kept today. Again Ms Sangole, learned Advocate for respondent No.1 is seeking time on the ground that respondent No.1 is not in her contact and she is accordingly praying for one week time.

5. With the assistance of the learned Advocates for the respective sides, I have perused the complaint. It is clear from the complaint that there are no specific allegations against the present applicant. All the allegations are of general nature.

6. In that view of matter, in my opinion, the present application can be considered for final disposal as there are strong grounds made out in favour of the applicant.

(3)

7. Hence, the present application is allowed. The proceedings bearing Criminal M.A. No.682/2019 filed by respondent No.1 against present applicant before the learned Judicial Magistrate First Class, Ahmednagar is hereby quashed and set aside qua present applicant.

[SUSHIL M. GHODESWAR, J.]

sjk