



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1187 OF 2024

1. Sundarrao s/o Appasaheb Ambhore
2. Ranjana w/o Sundar Ambhore (withdrawn)
3. Shubhangi Sundarrao Ambhore
4. Kunti w/o Balu Sarkate
5. Jyoti s/o Bapurao Pohekar ...Applicants

versus

1. The State of Maharashtra
2. Manisha w/o Rahul Ambhore ...Respondents

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Mr. P.P. More, advocate for the applicants

Mr. V.K. Kotecha, A.P.P. for respondent No.1

Mr. R.M. Gaikwad, advocate for respondent No.2 (appointed)

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

DATED : 3rd FEBRUARY, 2025

PER COURT (PER SANJAY A. DESHMUKH, J.):-

1. After hearing for some time, when this court expressed disinclination to allow the application of applicant No.2, learned advocate for the applicants, on instructions, seeks leave to withdraw the application of applicant No.2. Leave granted. The application of applicant No.2 - Ranjana w/o Sundar Ambhore, stands dismissed as withdrawn.

2. In so far as applicant Nos. 1 and 3 to 5 are concerned, by

this application, filed under Section 482 of the Code of Criminal Procedure, 1973, they seek quashment of F.I.R. No. 621 of 2023, registered with Jalna taluka police station, for the offences punishable under sections 498-A, 323, 504, 506 r.w. 34 of I.P.C. and Sections 3 and 4 of Dowry Prohibition Act.

3. The informant averred in the report that she married with Rahul Sundarrao Ambhore on 29.6.2021. Initially, for a period of one month, she was treated well. Thereafter, her mother-in-law and the present applicants started to harass her. They were doubting her character. The mother-in-law of the informant Ranjana demanded Rs.70,000/- for purchasing the furniture. Her parents paid Rs.30,000/- to her. Thereafter also, the applicants continued to harass her. Thereafter, her mother-in-law, Ranjana used to keep her on starvation. At 2/3 times, the informant was expelled from her house. On 21.6.2022, when she was expelled from the house, she went to reside at her parents house. The informant made application to the Women's Grievance Redressal Forum, Jalna. The applicants appeared in the said matter, but the matter could not be settled. Thereafter, the complaint came to be lodged.

4. Learned advocate for the applicants submits that there are vague allegations against the applicants that they treated the

informant with cruelty. However, except the mother-in-law, whose application came to be withdrawn, there are no specific allegations with specific incident. The role of applicant No.1 is also not specified. The applicant Nos. 3 to 5 are married sisters-in-law of the informant and they are residing with their respective husbands, at Wadhona, Nashik and Aurangabad, respectively. He lastly prayed to allow the application.

5. Learned A.P.P. for respondent No.1 State strongly opposed the application by submitting that the applicants have treated the informant with cruelty by demanding the money towards dowry. There are specific roles attributed to each of the applicants. The applicants have to face the trial. It is lastly prayed to reject the application.

6. Learned advocate for respondent No.2-informant submits that the names of the applicants are mentioned in the report with specific role attributed to them. The applicants have treated the informant with cruelty, which constitute the offences under section 498-A of I.P.C. etc. The applicants have also demanded the money from the informant, which constitute the offence under Sections 3 and 4 of the Dowry Prohibition Act. The applicants had also expelled the informant from the house. For some time, they used to keep the

informant on starvation. It is lastly prayed to reject the application.

7. On perusal of the report, it is crystal clear that there are vague and general allegations against these applicants. Though their names are mentioned in the report, no specific role is attributed to them. There is no prima facie evidence against the applicants so as to constitute the offence of cruelty, as contemplated under section 498-A as well as Sections 323, 504, 506 r.w. 34 of I.P.C. and Sections 3 and 4 of Dowry Prohibition Act. In so far as the present applicants are concerned, the allegations made against them are vague and general in nature. In such circumstances, if the applicants are compelled to face the trial, it would be certainly an abuse of process of Court. Therefore, we are inclined to allow the application to the extent of applicant No.1 and 3 to 5. Hence, the following order:-

O R D E R

- I. The application is allowed.
- II. The F.I.R. No. 621 of 2023, registered with Jalna taluka police station, for the offences punishable under sections 498-A, 323, 504, 506 r.w. 34 of I.P.C. and Sections 3 and 4 of Dowry Prohibition Act, stands quashed to the extent of

applicant Nos.1 and 3 to 5.

8. Since Mr. R.M.Gaikwad, learned advocate is appointed to represent the cause of respondent No.2, we quantify his legal fees and expenses at Rs.5000/- (Rupees Five thousand only) to be paid by the High Court Legal Services, Sub-Committee, Aurangabad.

(SANJAY A. DESHMUKH, J.)

(SMT. VIBHA KANKANWADI, J.)

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