



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

CRIMINAL APPLICATION NO. 1252 OF 2025

1. Abhishek Hanumant Salunke,
age 28 years, occu. Nil,
2. Hanumant Atmaram Salunke,
age 55 years, occu. Nil,
3. Surekha Hanumant Salunke,
age 50 years, occu. Household,

All R/o. N-7, F-32/4, Ayodhyanagar,
CIDCO, Aurangabad.
4. Pooja Ashok Dalve,
age 30 years, occu. Household,
R/o. N-9, A-115, 49/2,
Shivneri Colony, CIDCO,
Aurangabad.
5. Sanjay Baburao Kurangal,
age 55 years, occu. Business,
R/o. House No. 4, Gut No. 90/1,
Ekta Buildcon, Satara,
Aurangabad.

...Applicants.

Versus

1. The State of Maharashtra,
Through Police Inspector,
Latur MIDC Police Station,
Latur, District Latur.
2. Sau. Sheetal Abhishek Salunke,
age 27 years, occu. Household,
3. Shivanya Abhishek Salunke,
age 3 years, occu. Nil,
Minor through natural guardian mother,
respondent no. 2

Both R/o. C/o. Rajabhau Zarkar,
Gaurai Row Houses, near Sai Baba Gas Agency,
Old AUSA Road, Latur,
Tq. And District Latur.

...Respondents

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Advocate for Applicants : Mr. Laxman Vishnu Sangit
APP for Respondent No. 1 : Mr. S.S. Dande
Advocate for Respondent Nos. 2 & 3 : Mr. Khadap Rahul D.

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CORAM : ABHAY J. MANTRI, J.
DATE : 12th DECEMBER, 2025

ORAL JUDGMENT :

1. Heard. **Rule.** Rule is made returnable forthwith and heard finally by the consent of the learned Advocates for respective parties at the admission stage.
2. The applicants invoked the inherent jurisdiction of this Court for quashing the proceedings of PWDVA No. 114/2022, pending in the Court of learned Judicial Magistrate First Class, Latur (for short '***the learned Magistrate***'), filed by respondent no. 2 under Section 12 of the Protection of Women Domestic Violence Act, 2005 (for short '***D.V. Act***').
3. During the arguments, learned Advocate for the applicants, on instructions, submitted that the applicants do not want to proceed with the application to the extent of applicant no. 1, and therefore, he sought leave to withdraw the application on behalf of applicant no. 1. His statement is accepted. In view of the statement, Criminal Application is dismissed as withdrawn to the extent of applicant no. 1.

4. Having heard the learned Advocates for both parties and gone through the record, it appears that the allegations against applicants nos. 2 to 5 in the application are vague and omnibus. No specific allegations have been made against them regarding their role. No specific instances have been narrated, but respondent no. 2 vaguely alleged that all of them jointly caused domestic violence against her. Similarly, it appears that applicant no. 5 is not a family member of applicants no. 1 and no. 2, nor did applicant no. 5 live in a shared household. Even though respondent no. 2 has made him a party to the application.

5. Learned Advocate for respondent no. 2 failed to explain why respondent no. 2 has made him a party to the application. He stated only that he is a tenant of applicant no. 1 and resides in their property, but he fairly admitted that respondent no. 2 never lived with him in a shared household at any time; therefore, it appears that respondent no. 2 has unnecessarily made applicant no. 5 a party to the application. Similarly, applicant no. 4 is the married sister-in-law of respondent no. 2 and resides at her matrimonial house. However, he has not explained how she has been made a respondent in domestic violence proceedings when she has not been living with them in the shared household. Similarly, applicants nos. 2 and 3 are the elderly parents of

applicant no. 1. No specific allegations are made against them in the complaint.

6. Having considered the same in the absence of any specific role attributed to applicants nos. 2 to 5, it would be unjust if the applicants are forced to go through the tribulations of a trial, i.e. general and omnibus allegations cannot manifest in a situation where the relatives of the respondent's husband are forced to undergo the trial. Apart from that, no specific instances of Domestic Violence committed by applicants nos. 2 to 5 have been averred in the application.

7. Apart from that, on perusal of the prayer clause in the application, it appears that respondent no. 2 has only claimed the monetary relief. The same can be claimed against applicant no. 1 instead of against the remaining applicants. Therefore, it appears that respondent no. 2 abused the process of law by unnecessarily impleading the remaining applicants in the application; for that reason, I intend to impose costs on respondent no. 2 for unnecessarily harassing them and to approach this Court to seek a remedy.

8. Thus, in my view, it would be appropriate to allow the application to the extent of applicants nos.2 to 5.

9. As a result, the application is allowed to the extent of applicants nos. 2 to 5. The proceedings in PWDVA No. 114/2022,

against applicant nos. 2 to 5, pending before the learned Judicial Magistrate First Class, Latur, is hereby quashed and set aside. The application is dismissed against applicant no. 1. Respondent no. 2 is directed to pay costs of Rs. 5,000/- (Rupees five thousand) to the Legal Services Authority at Latur within a period of six weeks from today, failing which her rights to proceed in the matter will be forfeited. Inform this order to the learned JMFC, Latur.

(ABHAY J. MANTRI, J.)

SPC