



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1272 OF 2025

SAGAR URTTAM CHOURE AND OTHERS
VERSUS
MINAKSHI SAGAR CHOURE

...
Advocate for Applicants : Mr. Abhay G. Deshmukh (Mogarekar)

...

CORAM : SACHIN S. DESHMUKH, J.

Date : 23rd September, 2025

ORDER :-

1. The applicants have approached this Court seeking quashing of the complaint bearing Criminal M. A. No. 66 of 2024 presented by the respondents under Section 12 with reliefs claimed under Sections 18, 19, 20 and 22 of the Protection of Women from Domestic Violence Act, 2005 (hereinafter "Domestic Violence Act" for short) pending before the learned Judicial Magistrate First Class, Ahmednagar.

2. This Court, by its order dated 09.04.2025, issued notice to respondent for final disposal of the application. Although the respondent is served, however, none appeared. As such, the matter is taken for final hearing.

3. The present application is confined only to the extent of applicants No. 2 to 5 only i.e. in-laws of the respondent.

4. The learned counsel for applicants invited attention of this Court towards various proceeding presented between the litigating sides, those are as under :-

<u>Sr. No.</u>	<u>Case Number</u>	<u>Filed by</u>	<u>Status</u>
1	Cri.M.A. No. 44/2021	Wife	Pending (U/s 125 CrPC)
2	R.C.C. No. 130/2021	Wife	Pending (U/s. 498-A IPC)
3	Cri.M.A. No. 66/2024	Wife	Pending (DV Act)
4	H.M.P. No. 36/2025	Wife	Pending (Divorce)
5	P.A. No. 197/2021	Husband	Pending (Evidence) Section 9
6	R.C.S. No. 108/2022	Husband	Decreed (Inj. Not to marry)
7	S.C.C. No. 3897/2024	Husband	Pending (504, 506 IPC) Rel. of wife
9	S.C.C. NO. 1179/2023	Husband	Pending (499, 500 IPC) wife and rel.
9	Spl.C.S. No. 79/2023	Husband	Pending (Civil defamation) wife & rel.
10	Spl.C.S. No.134/2024	Husband	Pending (Civil Defamation) Rel.

5. Apart from the above proceedings, perusal of the complaint dated 14.03.2024, indicates sweeping allegations against the present applicants including the applicant No. 4, who is friend

of the husband. The allegations are sweeping and omnibus in nature. Moreover, the complainant was driven out of matrimonial house in the year 2020 whereas the complaint is presented on 14.03.2024. Hence, there is considerable delay in filing the complaint.

6. Having heard the learned counsel for applicants and perused the material on record, the fact remains that except the sweeping and omnibus allegations in the present complaint, no specific role is attributed as against these applicants. The tendency is gaining ground in matrimonial disputes to implicate the relatives so as to subject them unnecessary hardship vis-a-vis trials and tribulations of frivolous prosecutions, which is nothing but sheer abuse of process of law.

7. The initiation of criminal process is a serious matter with penal consequences involving coercive measures, which can be permitted only when specific act(s) constituted the offences punishable under the relevant provisions are alleged or attributed to the accused persons. With same vigour, criminalising domestic disputes without specific allegations and credible materials to support the same may have disastrous consequences for the institution of family, which is built on the cord of love, affection,

cordiality and mutual trust. Institution of family constitutes the core of human society. Domestic relationships are guided by deeply ingrained social values and cultural expectations. These relationships are often viewed as sacred, demanding a higher level of respect, commitment and emotional investment compared to other social or professional associations.

8. Thus, preservation of family relationship has always been emphasised in our society. As such, when family relationships are sought to be brought within the ambit of criminal proceedings rupturing the family bond, Court should be circumspect and judicious, and should allow invocation of criminal process only when there are specific allegations with supporting materials which clearly constitute criminal offences alleged.

9. The matrimonial relations which are founded on the basis of cordiality and trust, turn sour to an extent to make a partner hurl allegations of domestic violence and harassment against the other partner, would normally not happen at the spur of the moment and such acrimonious relationship would develop only in course of time. Accordingly, such a situation would be the culmination of a series of acts which turns, otherwise an amicable relationship, into a fractured one. In such cases involving

allegations of domestic violence or harassment, there would normally be a series of offending acts, which would be required to be spelt out by the complainant against the perpetrators in specific terms to rope such perpetrators in the criminal proceedings sought to be initiated. Thus, mere general allegations of harassment without pointing out the specific role against such perpetrators would not suffice, so as to initiate the proceedings and undergo the trial and tribulations of such false case.

10. Resultantly, I am of the considered view that the cases relating to domestic violence, the complaint and the allegations therein must be specific as against each and every member of the family having accusation of such offences and are sought to be prosecuted. Thus, in absence of specific allegations, the continuance of proceedings against the applicants No. 2 to 5 by discriminately dragging these applicants would amount to sheer abuse of process of law. In order to achieve the ends of justice, the impugned complaint presented under the Domestic Violence Act deserves to be quashed and set aside to the extent of the applicants No. 2 to 5 only. Hence, following order :-

ORDER

- I. Application is **allowed**.
- II. The proceeding bearing Cri. M. A. No. 66 of 2024 for

the offences under Section 12 with reliefs claimed under Sections 18, 19, 20 and 22 of the Protection of Women from Domestic Violence Act, 2005, pending before the learned Judicial Magistrate First Class, at Karjat, Dist. Ahmednagar, is quashed and set aside to the extent of applicants No. 2 to 5.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi