



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

2 CRIMINAL APPLICATION NO.1907 OF 2025

- 1 Prakash Brahmadeo Dahiphale,
Age 32 yrs., Occ. Home Guard,
R/o Mahinda, Tq. Ashti, Dist. Beed.
- 2 Latabai Brahmadeo Dahiphale,
Age 50 yrs., Occ. Household,
R/o Mahinda, Tq. Ashti, Dist. Beed.
- 3 Brahmadeo Sukhdeo Dahiphale,
Age 55 yrs., Occ. Agri.,
R/o Mahinda, Tq. Ashti, Dist. Beed.
- 4 Vikas Brahmadeo Dahiphale,
Age 28 yrs., Occ. Education,
R/o Mahinda, Tq. Ashti, Dist. Beed.
- 5 Vishnu Sukhdeo Dahiphale,
Age 45 yrs., Occ. Agri.,
R/o Mahinda, Tq. Ashti, Dist. Beed.
- 6 Sukhdeo Deorao Dahiphale,
Age 78 yrs., Occ. Agri.,
R/o Mahinda, Tq. Ashti, Dist. Beed.
- 7 Kalpana Arvind Avhad,
Age 32 yrs., Occ.
R/o Mahinda, Tq. Ashti, Dist. Beed.
- 8 Arvind Pandurang Avhad,
Age 32 yrs., Occ.
R/o Mahinda, Tq. Ashti, Dist. Beed.

... Applicants

... Versus ...

- 1 The State of Maharashtra
Through Officer In-charge,
Police Station, Patoda,
Tq. Patoda, Dist. Beed.
- 2 Pragati Prakash Dahiphale,
Age 20 yrs., Occ. Household,
R/o Gittewadi, Tq. Patoda,
Dist. Beed.

... **Respondents**

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Mr. S.E. Shekade, Advocate for applicants

Mr. P.S. Patil, APP for respondent No.1

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CORAM : SMT. VIBHA KANKANWADI &
SANJAY A. DESHMUKH, JJ.

DATE : 18th JULY, 2025

ORDER :

. Present application has been filed for quashment of First Information Report vide Crime No.28/2025 dated 23.01.2025 with Patoda Police Station, Dist. Beed, for the offence punishable under Sections 85, 115(2), 352, 351(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2 Heard learned Advocate Mr. S.E. Shekade for applicants and learned APP Mr. P.S. Patil for respondent No.1. There is no necessity to issue notice to respondent No.2.

3 After taking us through contents of First Information Report learned Advocate for applicants submits that husband is serving as Home Guard and on the day of alleged incident dated 10.11.2024 he was on duty. The allegations against rest of the persons are vague and omnibus.

4 It is not in dispute that applicant Nos.1 to 6 are residing together and then it is stated that applicant No.7 – the married sister-in-law and applicant No.8 – husband of applicant No.7 are residing in the matrimonial home of applicant No.7. It is alleged that respondent No.2 was harassed by making demand of Rs.5,00,000/-. Applicant Nos.7 and 8 used to occasionally visit the house of applicant Nos.1 to 6. In ordinary course we would have considered the application for them, however, there is a statement that father of respondent No.2 has given amount of Rs.1,00,000/- from his account to applicant No.8. There are no pleadings as to why that amount was received by applicant No.8. Under such circumstance, we do not want to abort the investigation, at this stage. Case is not made out for exercise of powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Application stands rejected at the threshold.

(SANJAY A. DESHMUKH, J.)

(SMT. VIBHA KANKANWADI, J.)

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