



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2258 OF 2025

1. Varsha Bhimrao Unhale
Age: 32 years, Occu.: Advocate,
2. Savitri Samadhan Unhale
Age: 29 years, Occu.: Household,
3. Kashibai Bhimrao Unhale
Age: 62 years, Occu.: Agri.,
All R/o Nandurkhi Bu., Kardoba Nagar,
Tq. Rahata, Dist. Ahmednagar

..APPLICANTS

VERSUS

1. State of Maharashtra
2. Rama Bharat Unhale
Age: 28 years, Occu.: Household,
R/o Tandalwadi Haveli Post Shirsmarg,
Tq. & Dist. Beed

..RESPONDENTS

....
Mr. N.N. Bhagwat, Advocate for applicants
Mr. P.M. Kulkarni, A.P.P for respondent no.1 – State
Ms. Mansi Thorat, Advocate for respondent no.2 (appointed)

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CORAM : ABHAY J. MANTRI, J.
DATE : 11th DECEMBER, 2025

ORAL JUDGMENT :

1. Heard. **Rule.** Rule is made returnable forthwith and heard finally with the consent of learned counsel for the parties, at the admission stage.
2. The applicants have invoked the inherent jurisdiction of this Court for quashing Criminal Miscellaneous Application No. 88 of 2023 under Section 12 of the Protection of Women from Domestic Violence Act (for short, '*D.V Act*')

pending before the learned Judicial Magistrate First Class, Beed (for short, '*the Magistrate*'), and therefore, have filed this application.

3. Learned counsel for the applicants submitted that Applicant No.1 is the sister-in-law, Applicant No.2 is the wife of the brother-in-law, and Applicant No.3 is the mother-in-law of the Respondent No.2. There are no specific allegations against the applicants about causing domestic violence against Respondent No.2. The allegations against them appear to be vague and omnibus. Therefore, he urged that the proceedings against them be quashed.

4. On the other hand, learned counsel for Respondent No.2 has opposed the application, contending that the applicants have caused ill-treatment to Respondent No.2 and also harassed her when she was living in the shared household with the applicants. Therefore, she has rightly filed the application against them before the learned Magistrate. Hence, she urged the dismissal of the present application.

5. Having heard the rival parties and gone through the record, more particularly, the application filed under Section 12 of the D.V. Act, at the outset, it appears that the allegations against the applicants are vague and omnibus. No specific acts done by the applicants have been stated in the application. Apart from that, it appears that Respondent No.2, in the application, has only sought the monetary relief and expenses of the application.

6. In view of the same, in my opinion, in the absence of any specific role attributed to the applicants about causing domestic violence to the

Respondent No.2, it would be unjust if the applicants are forced to go through the tribulation of trial. Apart from that, the general and omnibus allegations cannot be said to be manifest in the situation where the relatives of the husband of the wife are forced to undergo the trial.

7. Thus, considering the above facts, in my view, continuation of the application against the applicants before the learned Magistrate would certainly cause prejudice to their rights. Hence, I do not find substance in the contention of learned counsel for the respondents in that regard.

8. As a result, the application is allowed in terms of the prayer clause (B). As a sequel, the proceedings against the applicants bearing Criminal Miscellaneous Application No. 88 of 2023 under Section 12 of the Protection of Women from Domestic Violence Act, pending before the learned Judicial Magistrate First Class, Beed, are hereby quashed and set aside. Inform the learned Magistrate accordingly. The rule is made absolute. No order as to costs.

9. Ms. Mansi Thorat, learned counsel, is appointed by the Court to represent Respondent No.2. Hence, her fees are to be quantified as per the rules.

(ABHAY J. MANTRI, J.)

SSD