



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 898 OF 2025

1. Mrs. Pranali Bhushan Zope
alias Miss Pranali Vilas Patil
Age : 32 Years, occu : Housewife,
R/o. Gangeshwar Park CHS
A 201, Raju Nagar, Shivaji Path II,
Near Church, Vishnu Nagar,
Dombivali (W) Mumbai.
2. Mr. Vilas Murlidhar Patil,
Age : 62 Years, occu : Retired
R/o. Gangeshwar Park CHS
A 201, Raju Nagar, Shivaji Path II,
Near Church, Vishnu Nagar,
Dombivali (W) Mumbai.

...PETITIONERS
(Orig. Accused)

VERSUS

1. The State of Maharashtra
Through Sr. Inspector of Police,
Bhusaval City Police Station.
2. Liladhar Dongar Zope,
Age : 75 Years,
R/o. Ganesh Colony, Jalgaon,
Bhusaval, Taluka Bhusaval,
District : Jalgaon

...RESPONDENTS
(Orig. Complainant)

Mr. Rajat V. Dighe, Advocate for the Petitioners.
Mr. D. B. Bhange, APP for Respondent – State.

CORAM : ABHAY J. MANTRI, J.
DATE : DECEMBER 10, 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 petitioners, being aggrieved by the order dated 20th February 2025 passed by the learned Judicial Magistrate First Class, Bhusawal, have preferred this petition seeking quashing of the proceedings.

3. The learned counsel for the petitioners submits that no independent witness has been examined to support the complaint filed by the respondent. It is further submitted that the present complaint has been filed solely as a counterblast to the petitioners' complaint. Hence, he urges that the proceedings be quashed.

4. On the other hand, learned APP submits that the order passed by the learned Magistrate is just and proper. He further submits that the petitioners have an alternative remedy available but have directly approached this Court; therefore, on that ground alone, the petition deserves dismissal.

5. Upon perusal of the record, I do not find merit in the submissions advanced on behalf of the petitioners. The respondent has categorically averred in the complaint that on the date of the incident, the petitioners came to his house, threatened him while enquiring about Bhushan, they shoved and pushed him, causing him to fall, and further threatened to kill him. Accordingly, the complaint was lodged.

6. During verification, the respondent reiterated the contents of the complaint. He also examined his daughter, Mohini, who supported the

allegations and stated that the petitioners had shoved and pushed her father, abused him, causing him to fall to the ground. After considering the material on record, the learned Magistrate issued process under Sections 323, 504, and 506 of the Indian Penal Code. Thus, I do not find substance in the contention that the complaint is a counterblast or that the absence of an independent witness is fatal. Such grounds are matters for trial and cannot be considered while exercising the inherent jurisdiction of this Court. I therefore find no merit in the petition.

7. Apart from that, an alternate and efficacious remedy is available to the petitioners before the learned Sessions Court against the order issuing process. The petitioners have failed to avail the same.

8. In view of the above, the petition being devoid of merit, stands dismissed. No order as to costs.

9. Rule is discharged.

(ABHAY J. MANTRI, J.)