



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

10 CRIMINAL APPLICATION NO. 2867 OF 2025

1. Atul Uday Khillare
Age: Major, Occ. Priest,
R/o. Pune, Dist. Pune.
2. Bhishep Avinash Shelke
Age: Major, Occ. Priest
R/o. Pune, Dist. Pune.
3. Rajesh Narendra Nirmal
Age: Major, Occ. Labour,
R/o. Near Mission Hospital
Jalna, Tq. & Dist. Jalna.
4. Ashwini Sandip Reddy (Khandagale)
Age: Major, Occ. Household
R/o. Near Duglus School, Jalna
Tq. & Dist. Jalna.
5. Anil Pandit Pakhare
Age: Major, Occ. Labour,
R/o. Mission Compound, Jalna
Tq. & Dist. Jalna.
6. Sanjay Kamuwel Pakhare
Age: Major, Occ. Labour,
R/o. Kranti Nagar, Jalna
Tq. & Dist. Jalna.
7. Joseph Michal Jagdhane
Age: Major, Occ. Labour,
R/o. Kranti Nagar, Jalna
Tq. & Dist. Jalna.
8. Kantabai Michal Jagdhane
Age: Major, Occ. Household
R/o. Near Kranti Nagar, Jalna,
Tq. & Dist. Jalna.

9. Jayabai Samadhan Athawale
Age: Major, Occ. Household,
R/o. Mission Compound, Jalna
Tq. & Dist. Jalna.
10. Anurag Kirti Kamble
Age: Major, Occ. Labour,
R/o. Mission Compound,
Jalna, Tq. & Dist. Jalna
11. Robben Shahurao Navgire
Age: Major, Occ. Labour,
R/o. Kranti Nagar, Jalna,
Tq. & Dist. Jalna
12. Jocky Michal Jagdhane
Age: 36 years, Occ. Labour,
R/o. Mangal Bazar, Jalna
Tq. & Dist. Jalna.
13. Archana Dipak Pakhare
Age: Major, Occ. Household,
R/o. Pune, Dist. Pune.
14. Amruta Atul Khillare
Age: Major, Occ. Household
R/o. Pune, Dist. Pune.
15. Prashant John Lalzare
Age: Major, Occ. Advocate,
R/o. MHADA Colony, Mantha Naka,
Jalna, Tq. & Dist. Jalna.

... Applicants
(Orig. Accused Nos.1 to 15)

Versus

1. The State of Maharashtra
Through its Police Inspector,
Sadar Bazar Police Station, Jalna
Tq.& Dist. Jalna.

2. Upendra Bhaskar Mhankale
Age: 62 years, Occ. Priest,
R/o. Jamuna Nagar, Jalna
Tq. & Dist. Jalna.

... Respondents
(Resp. No.2-Orig. Complainant)

...
Advocate for Applicants : Mr. Prakash V. Balkhande.
APP for Respondent / State : Mr. G. A. Kulkarni.
...

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

DATE : 06th August, 2025.

Per Court:

. Present application has been filed for quashing the FIR vide C.R. No.303 of 2025, dated 19th April, 2025, registered with Sadar Bazar Police Station, District Jalna, for the offence punishable under Sections 189(2), 298, 115(2), 352 and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

2 Heard the learned counsel for the applicants. He submits that the informant is also of the same religion, which the applicants profess. In fact, the FIR i.e. lodged by Ashwini Sandip Reddy on 18th April, 2025 vide C.R. No.300 of 2025 with the same police station, is prior in time. Just to give a counterblast to the said FIR, the present FIR has been lodged belatedly. The ingredients of the offences are not getting attracted.

3 The learned APP strongly opposes the application and submits that the investigation is pending in respect of both the FIRs.

4 There is no necessity to issue notice to respondent No.2.

5 The first and the foremost fact would be that if it is submitted that it is a cross complaint, then the presence of the present applicants would be admitted. Secondly, taking into consideration the contents of C.R. No.303 of 2025 lodged by present respondent No.2, *prima-facie*, ingredients are getting attracted. Under such circumstance, when there are cross FIRs, the investigation in respect of one FIR cannot be aborted. It will have to be taken to the logical end and therefore, at this stage, no case is made out for exercise of powers under Section 528 of BNSS.

6 The application stands rejected at the threshold.

[SANJAY A. DESHMUKH, J. . [SMT. VIBHA KANKANWADI, J. .

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