



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

13 CRIMINAL APPLICATION NO. 3437 OF 2024

1. BHIKAJI S/O. SUDAM VIDYASAGAR
2. ASMITA W/O. BHASKAR SABALE
3. BHASKAR S/O. MAHADEO SABALE
4. KESHAV S/O. SOPAN GHOGRE

VERSUS

SHOBA BHIKAJI VIDYASAGAR

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Advocate for Applicants : Ms. Deepali S. Patil
h/f. Mr. Yenegure Apparao Prakash
Advocate for Respondent : Mr. Deshmukh Vivekanand B.

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**CORAM : KISHORE C. SANT, J.
DATE : 03.07.2025**

PER COURT :

1. Heard the parties.
2. This application is filed for quashing of the proceedings pending in the Court of learned Judicial Magistrate First Class, Osmanabad, for the offences punishable under Sections 498-A, 323, 504, 506 and 34 of the Indian Penal Code.
3. The application is already withdrawn to the extent of present applicant no. 1.

4. Learned Advocate for the applicants vehemently argued that there are no specific allegations attracting the ingredients of Section 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code. The allegations are vague and omnibus alleging any specific. She thus submits that to continue the case against applicants with the same complaint would be an abuse of process of law and prays for allowing the application.

4. Learned Advocate for respondent vehemently argued that the complaint is specific, clearly a case is made out to proceed with the proceedings. The offences are serious. Though specific allegations are only against applicant no. 1, it has come in the complaint that it is at the instance of applicant nos. 2 to 4 with the aid of Section 34 of the Indian Penal Code. A case is made out against all the applicants. He thus, opposes the application.

5. This Court has heard the parties and seen complaint. It is seen that the allegations are only against husband i.e. applicant no. 1. The application is already withdrawn to his extent. The allegations against applicant nos. 2 to 4 are vague and omnibus. No specific incident is quoted so as to give idea about the particulars of crime. This Court finds that under such circumstances continuance of the

proceedings against applicant nos. 2 to 4 would be clearly an abuse of process of law.

6. Considering the above, this Court is inclined to allow the Criminal Application. This Application stands allowed in terms of prayer clause 'C' to the extent of applicant nos. 2 to 4.

(KISHORE C. SANT, J.)

spc/-