



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1256 OF 2025

1. Saurabh Sanjay Giri (Husband)
Age : 30 Years, Occu : Agriculture,
R/o. Palaj, Tal. Bhokar, Dist. Nanded.
2. Kiran Sanjay Giri (Mother-in-law)
Age : 50 Years, Occu : Housewife,
R/o. Palaj, Tal. Bhokar, Dist. Nanded.
3. Sanjay Ganesh Giti (Father-in-law)
Age : 60 Years, Occu : Agriculture,
R/o. Palaj, Tal. Bhokar, Dist. Nanded.
4. Giridhar Vitthal Giri (Brother-in-law)
Age : 45 Years, Occu : Agriculture,
R/o. Palaj, Tal. Bhokar, Dist. Nanded.
5. Ashwini Waman Giri (Husband's cousin sister)
Age : 42 Years, Occu: Housewife,
R/o. Lyahari, Tql. Hadgaon, Dist. Nanded.
6. Shruti Yogesh Giri (Sister-in-law)
Age : 33 Years, Occu : Housewife,
R/o. Basmath, Tal. Basmath, Dist. Hingoli
7. Yogesh Purushottam Giri
(Husband of Sister-in-law)
Age : 36 Years, Occu : Service,
R/o. Basmath, Tal. Basmath, Dist. Hingoli

...PETITIONERS
(Orgi. Respondents)

VERSUS

Poonam Saurabh Giri,
R/o. Dhanora, Post Aaral, Basmath,
Tal. Basmath, Dist. Hingoli

...RESPONDENT
(Orig. Applicant)

Mr. Hake Rupesh Bapurao, Advocate for the Petitioners.
Mr. Parde Dnyanesh Govindrao, Advocate for the Respondent

CORAM : ABHAY J. MANTRI, J.
DATE : DECEMBER 18, 2025

ORAL JUDGMENT :

1. Heard. **Rule.** Rule is made returnable forthwith and heard finally with the consent of the parties at the admission stage.
2. The petitioners have invoked the inherent jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "*BNSS*"), seeking quashing of the proceedings initiated by the respondent (original applicant) under the provisions of the Protection of Women From Domestic Violence Act, 2005 (for short "*DV Act*").
3. Having heard the learned counsel for both parties and having gone through the record, it appears that on 18th September 2025, the learned counsel for the petitioners, on instructions, submitted that petitioner No.1 does not want to press the present petition, and accordingly, his statement was recorded. Today, he reiterated the said statement. The statement is accepted.
4. In view of the statement, the petition is dismissed as withdrawn against petitioner No.1 (original respondent No.1).
5. At the outset, it appears that the respondent has made specific allegations against her husband, i.e., petitioner No.1 herein; however, the allegations made against the remaining petitioners are vague and omnibus in nature. Based on the said allegations, prima facie, the ingredients of provisions of Sections 12, 13, 14, 17, 18, 19 and 20 of the DV Act are not

attracted against the petitioners Nos. 2 to 7. Apart from that, on perusal of the prayer clause, it appears that the respondent has sought reliefs of maintenance as well as compensation, which she can claim from her husband only. For that purpose, the remaining petitioners are not necessary parties to the proceedings.

6. Thus, in the absence of any specific role attributed to petitioner Nos. 2 to 7 (original respondent Nos. 2 to 7) against the respondent to demonstrate that they have committed the domestic violence against her, it would be unjust to compel them (original respondent Nos. 2 to 7) to undergo the tribulations of a trial. Moreover, general and omnibus allegations cannot manifest in a situation where the relatives of the husband, i.e., petitioner No.1, are forced to undergo the anguish of a trial.

7. It further appears that petitioner No.6 (original respondent No.6) is the married sister-in-law of the respondent and that she, along with her husband, i.e., petitioner No.7 (original respondent No.7), is residing at Nanded. Similarly, petitioner No. 5 (original respondent No. 5) is the cousin-sister-in-law and resides in her matrimonial house at Lyahari, Hadgaon. Petitioner No.4 (original respondent No.4), Giridhar, is the cousin brother-in-law and is living separately from petitioner No.1 and the respondent.

8. It further reveals that, in the entire application, there are no allegations against petitioner Nos. 2 and 3 (original respondent Nos. 2 and

3), who are the parents-in-law of the respondent, to commit the domestic violence against the respondent. However, despite these facts, the respondent has impleaded them as parties to the application, which clearly indicates that, with an intention to harass the petitioners No. 2 to 7 (original respondents) or to pressurise petitioner No.1 (original respondent No.1), she has unnecessarily arrayed them as parties, thereby abusing the process of law. For this reason, it would be appropriate to impose costs on the respondent.

9. Thus, considering the above facts, it appears that the filing of the application by the respondent against petitioner Nos. 2 to 7 (original respondent Nos . 2 to 7) is nothing but an abuse of the process of law.

10. As a result, the petition is partly allowed. The proceedings initiated against petitioner Nos. 2 to 7 are hereby quashed and set aside. The petition, insofar as petitioner No.1 is concerned, is dismissed. The respondent is directed to deposit the costs of ₹ 5,000/- with the Legal Service Authority, Basmath, within a period of six (06) weeks from today; failing which, the learned Magistrate shall take appropriate steps to get compliance with this order.

11. The rule is made partly absolute in the above terms.

12. Informed the learned Magistrate accordingly.

(ABHAY J. MANTRI, J.)