



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3861 OF 2025

1. Ajaysingh Pratapsingh Chauhan
 2. Pratapsingh Fakira Chauhan
 3. Urmilabai w/o Pratapsingh Chauhan
 4. Vijaysingh Pratapsingh Chauhan
 5. Joshna Sainath Rathod
- .. Applicants

Versus

1. The State of Maharashtra
Through PSO, Mandavi Police Station,
Mandavi, Tq. Kinwat, Dist. Nanded.
 2. Neha w/o Ajaysingh Chauhan
- .. Respondents

...

Mr. V. B. Dhage, Advocate for the applicants.
Ms. S. S. Joshi, Advocate for respondent No.1/State.

...

**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 18 NOVEMBER 2025

ORDER :

1. Heard learned Advocate for the applicants.
2. The applicants have prayed for quashment of the FIR vide Crime No.40 of 2025 dated 16.05.2025 registered with Mandavi Police Station, District Nanded for the offences punishable under Sections 377, 354-B, 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code.

3. Learned Advocate for the applicants submits that respondent No.2 had left the house of applicant No.1 on her own and now with ulterior motive, she has filed the FIR. She has made false allegations against every applicants. Applicant No.1 is a practicing Advocate at Hyderabad. When respondent No.2 had left the matrimonial home, applicant No.1 had sent legal notice on 08.10.2024, to which again a false reply has been given by respondent No.2 on 24.10.2024. According to the applicants, the allegations in the FIR are not specific to attract the ingredients of the offence. In fact, the marriage was solemnized in April 2024 and she left the matrimonial house in June, 2024. The delay in lodging the FIR has also not been explained and, therefore, this is a fit case where the FIR needs to be quashed and set aside.

4. The learned AGP waives notice for respondent No.1/State.

5. Perusal of the FIR would disclose that the allegations have been made against each and every applicant. Even the married sister is stated to be residing with the father i.e. applicant No.2 along with her children. There might be certain exaggeration, however, to the extent that it is false, it cannot be inferred in the scope of the petition. As regards applicant No.4 brother-in-law is concerned, a *plea of alibi* has been tried to be taken, but it has to be proved by him at the appropriate stage, which cannot be

gone into. Under such circumstance, we do not find this to be a fit case where we should exercise our powers under Section 482 of the Code of Criminal Procedure.

6. The application stands rejected.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm