IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.4436 OF 2023

1. Umeshkumar Ramkumar Rajput
2. Kalpna Ramkumar Rajput
3. Dharmeshkumar Ramkumar Rajput
4. Rajeshree Dharmesh Rajput
5. Yogita Mahendrasingh Rajput
6. Mahendrasingh Jaysingh Rajput
7. Vishal Shivaji Patil
8. Pooja @ Sangita Vishal Patil .. ***Applicants***

Versus

1. The State of Maharashtra
2. Swati Umeshkumar Rajput .. ***Respondents***

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Mr. Yogesh A. Jadhav, Advocate for the applicants.
Mr. A. D. Wange, APP for respondent No.1/State.
Mr. G. V. Wani, Advocate for respondent No.2.

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CORAM : SMT. VIBHA KANKANWADI &
SUSHIL M. GHODESWAR, JJ.
DATE : 20 AUGUST 2025

ORDER (Per Smt. Vibha Kankanwadi, J.) :-

. Present application has been filed initially for quashing the FIR vide Crime No.493 of 2023 dated 07.10.2023 registered with Jamner Police Station, District Jalgaon and later on, by way of amendment, for quashing the proceedings in Regular Criminal Case No.297 of 2023 pending before the learned Judicial Magistrate First Class, Jamner for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code.

2. Heard learned Advocate Mr. Yogesh A. Jadhav for the applicants, learned APP Mr. A. D. Wange for respondent No.1/State and learned Advocate Mr. G. V. Wani for respondent No.2. In order to cut short, it can be said that all of them have made submissions in support of their respective contentions.

3. It will not be out of place to mention here that after disinclination is shown to grant any relief in favour of applicant No.1, learned Advocate for the applicants sought withdrawal of the application. In view of the same, the application came to be disposed of as withdrawn as against applicant No.1.

4. It is not in dispute that original applicant No.1 and respondent No.2 got married on 10.11.2021. Applicant No.2 is the mother-in-law, applicant No.3 is brother-in-law, applicant Nos.4 and 5 are the sisters-in-law of respondent No.2. Applicant No.6 is husband of applicant No.5. Applicant No.7 is cousin brother-in-law and applicant No.8 is wife of applicant No.7. Upon perusal of the contents of the FIR, what is emerging is that since prior to the marriage, respondent No.2 was

working with Quetiles IQVA India Company wherein the original applicant No.1 Umeshkumar was also working and he was residing in Elburg City in Netherlands. According to respondent No.2 after few days of marriage, applicants started harassing her on the count of less dowry and not honouring them properly. The harassment was in the nature of teasing, but what were the words used have not been stated either in the FIR or anywhere in the entire charge-sheet. The other allegations were against original applicant No.1. She states that after about a month of marriage, her husband returned to Netherlands. He had promised her that after the passport and every formalities, she would be taken there. She then states that she was staying in the matrimonial home at Nashik and thereafter, the applicants/accused also came to Nashik and started saying that she should give the amount of salary to them. Her husband was also making demand of money from Netherlands and, therefore, she had transferred salary of three months in his account. She then states that the other applicants i.e. applicant Nos.2 to 8 then started demanding amount of Rs.5,00,000/- for purchasing flat. Her husband came on 13.02.2022 to Nashik and at that time, she was abused, assaulted and driven out of the house. Since then she is residing with her parents. Though the applicants appear to be relying on some *Tadjod Patra*, we will not consider it since it has been produced by the applicants. The fact remains is that applicant Nos.5 and 6 i.e. the married sisters-in-law and her husband are residing in Banglore, Karnataka State and applicant Nos.7 and 8, who are the cousin brother-in-law and his wife are also residing at different place. Why they would be interested in demanding the money is a question and the fact still remains is that the marriage had taken place on 10.11.2021 and she was allegedly driven out on 13.02.2022. Then hardly she has cohabited for three months. During the period from 18.12.2021 to 13.02.2022 the original applicant No.1 was not in India. We have heard the matter for a while on 04.08.2025 and felt that both the learned Advocates for the applicants as well as respondent No.2 should take instructions as well as we felt that there is necessity for the presence of investigating officer. Today, the investigating officer was present and he admits that he has not collected the evidence regarding transfer of any amount from the account of respondent No.2 to the account of applicant No.1. Nor the respondent No.2 appears to have given that evidence to the investigating officer. Further, the FIR is totally silent as to when respondent No.2 has left her job, rather it would be proper to ask whether she had ever left her job or not. It was tried to be submitted that she has left the job, but there is no document to that effect filed from either side. If she had left the job after 13.02.2022, then she has not explained where she was staying and how she was attending her job. She has not stated that prior to her marriage where she was residing and where the headquarter of her company was situated. Upon instructions, the learned Advocate for the applicants submits that the headquarter of respondent No.2 and applicant No.1 was Thane and respondent No.2 was residing at Thane prior to marriage. Then the question is if the company has no branch at Nashik, then after marriage how respondent No.2 was working would be a question. Therefore, there appears to be total suppression of facts and exaggeration also. Whatever allegations are made against the other applicants are omnibus and vague. The witnesses whose statements have been recorded under Section 164 of the Code of Criminal Procedure are copy paste in nature and they have also not stated from where respondent No.2 was doing her job after the marriage. If she was not residing with applicant Nos.2 to 8, then where is the question of subjecting her to cruelty. Therefore, this is a fit case where we should exercise our powers under Section 482 of the Code of Criminal Procedure. Hence, the following order :-

ORDER

I) Criminal Application stands allowed.

II) The FIR vide Crime No.493 of 2023 dated 07.10.2023 registered with Jamner Police Station, District Jalgaon as well as the proceedings in Regular Criminal Case No.297 of 2023 pending before the learned Judicial Magistrate First Class, Jamner for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code, stand quashed and set aside as against applicant Nos.2 to 8.

[SUSHIL M. GHODESWAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm