



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1159 OF 2024

1. Ranjana w/o Bandu Savant
Age: 52 years, Occu.: Household,
R/o. Parva, Tq. And Dist. Parbhani
2. Bandu s/o Bapurao Savant
Age: 53 years, Occu.: Labour,
R/o. Parva, Tq. And Dist. Parbhani
3. Rupali w/o Mahesh Savant
Age: 32 years, Occu.: Business,
C/o. Navrutti Dhondubarao Vanole

Plot No.8, Near Adarsh Vidya Mandir
School, Vidhyut Colony Begampura,
Aurangabad.
4. Mahesh s/o Bandu Savant
Age: 33 years, Occu.: Business,
C/o. Navrutti Dhondubarao Vanole,
Plot No.8, Near Adarsh Vidya Mandir
School, Vidhyut Colony, Begampura,
Aurangabad.
5. Narayan s/o Limbajirao Bhagwate
Age: 60 years, Occu.: Retired from service,
R/o. Flat No.103, Savitri Sector 9,
Airoli Navi Mumbai – 400708.

.. Applicants

Versus

1. The State of Maharashtra
Through the Police Station,
M.I.D.C. Latur,
Tq. And Dist. Latur.
2. Smt. Kavita w/o Kiran Savant
Age: 27 years, Occu.: Household,
C/o. Latabai Ashok Jadhav,
Vitthal Rukhmini Nagar,
Barshi Road, Road No.5,
Behind Hotel Grand, Latur,
Tq. And Dist. Latur.

.. Respondents

...
Mr. Ramrao G. Nirmal, Advocate for the applicants.
Mrs. P. R. Bharaswadkar, APP for respondent No.1/State.
Mr. S. B. Kendre, Advocate for respondent No.2.
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**CORAM : SMT. VIBHA KANKANWADI &
SANJAY A. DESHMUKH, JJ.**

DATE : 12 JUNE 2025

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

. Present application has been filed initially for quashing the FIR vide Crime No.14 of 2024 registered with M.I.D.C. Latur Police Station, Taluka and District Latur and later on, by way of amendment, for quashing the proceedings in Regular Criminal Case No.706 of 2024, pending before the learned Judicial Magistrate First Class, Latur for the offences under Section 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code.

2. Heard learned Advocate Ramrao G. Nirmal for the applicants, learned APP Mrs. P. R. Bharaswadkar for respondent No.1/State and learned Advocate Mr. S. B. Kendre for respondent No.2. In order to cut short, it can be said that all the Advocates have made submissions in support of their respective contentions.

3. After disinclination is shown to grant any relief in favour of applicant Nos.1 to 4, learned Advocate for the applicants, upon instructions, seeks withdrawal of the application as against applicant

Nos.1 to 4. There is no hurdle in allowing the same. Hence, the application stands disposed of as withdrawn as against applicant Nos.1 to 4. Matter to proceed for the reliefs claimed on behalf of applicant No.5 only.

4. It is not in dispute that applicant Nos.1 and 2 are the parents-in-law of respondent No.2. Applicant No.3 is the sister-in-law of respondent No.2. Applicant No.4 is the brother-in-law of respondent No.2 and applicant No.5 is the maternal uncle of respondent No.2.

5. Respondent No.2 in her FIR states that her marriage with one Kiran Bandu Savant i.e. son of present applicant Nos.1 and 2 took place on 15.05.2023. She states that her father had given Rs.10,00,000/- with 15 Tola gold to applicants in the marriage. She was treated properly for 10 days after the marriage, but thereafter on trifle grounds the applicants started harassing her and abused her. On 24.05.2024, on the instigation of applicants, her husband ask her to bring Royal Enfield Bike and 20 Tola gold from her parents home, abused her and slapped her in front of all the applicants. Thereafter, on the occasion of Satya Narayan Pooja her husband denied to perform pooja on account of demand of Royal Enfield Bike and 20 Tola gold. She states that on this count, all the applicants subjected her to cruelty. It is further stated that all the applicants with an intention to harass her physically and mentally, drove

her out of the house. Thereafter, she called her brother. Her brother and father immediately reached to Aurangabad and tried to convince the applicants, but the applicants abused them and threatened them that if they fail to satisfy their demand of Royal Enfield Bike and 20 Tola gold, they will not give shelter to respondent No.2 and also threatened that they will kill her, if the demand is not satisfied by them. Thereafter, again on 19.09.2023 her parents and brother went to Aurangabad to convince the applicants, but again applicants abused and assaulted her parents and brother and, therefore, she has lodged the report.

6. At the outset, it is to be noted that as regards applicant Nos.1 to 4 are concerned, there are allegations against them that they were instigating her husband and thereafter, her husband started harassing her physically and mentally and, therefore, we had shown disinclination to grant any relief in favour of them. However, as regards applicant No.5 is concerned, he is the maternal uncle of respondent No.2. He is residing at Navi Mumbai. In the entire FIR, there is absolutely no mention as to whether he used to visit the matrimonial home of respondent No.2. When applicant No.5 is residing at a different place, the question arises as to why only for harassing respondent No.2 he would come to her matrimonial home. The allegations are vague. No specific role has been attributed to applicant No.5. It appears that those allegations are just to rope all the family members of the husband with ulterior motive and,

therefore, it would be an abuse of process of law to ask applicant No.5 to face the trial. Case is made out for exercise of inherent powers of this Court under Section 482 of the Code of Criminal Procedure. Hence, the following order

ORDER

- I) Criminal Application stands partly allowed.
- II) Criminal Application stands disposed of as withdrawn as against applicant Nos.1 to 4.
- III) Criminal Application stands allowed in respect of applicant No.5.
- IV) The FIR vide Crime No.14 of 2024 registered with M.I.D.C. Latur Police Station, Taluka and District Latur as well as the proceedings in Regular Criminal Case No.706 of 2024, pending before the learned Judicial Magistrate First Class, Latur for the offences under Section 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code, stand quashed and set aside as against applicant No.5 – **Narayan s/o Limbajirao Bhagwate.**

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm