



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2922 OF 2025

1. Aniruddha Sunil Ambedkar,
Age : 40 Years, Occu : Service,
R/o. Plot No. D-5, Sai Residency,
Rameshwar Nagari, Honaji Nagar,
Jatwada Road, Near Mahadeo Temple,
Harsul, Aurangabad – 431 001.
(Brother-in-law of respondent No.2)
2. Manjusha Aniruddha Ambekar,
Age : 37 Years, Occu : Service,
R/o. Plot No. D-5, Sai Residency,
Rameshwar Nagari, Honaji Nagar,
Jatwada Road, Near Mahadeo Temple,
Harsul, Aurangabad – 431 001.
(Wife of applicant No.1 and
sister-in-law of respondent No.2)
3. Rushikesh Sunil Ambekar,
Age : 34 Years, Occu : Service,
R/o. Adani Galli, Pshor,
Taluka Kannad, Dist. Aurangabad
(Brother-in-law of respondent No.2)

...APPLICANTS

VERSUS

1. The State of Maharashtra,
Through the Police Station Officer,
Police Station Paithan, Tq. Paithan,
Dist. Aurangabad.
2. Shraddha Pradyumna Ambekar,
Age : 34 Years, Occu : Medical Profession,
R/o. Nath Colony, Paithan,
Tq. Paithan, Dist. Aurangabad.
3. Adwait Pradyumna Ambekar
Age : 5 Years, Occu : Education,
(Being minor under the guardianship of
Respondent No.2 Shraddha Pradyumna Ambekar
in the capacity of mother)

R/o. Plot No. D-5, Sai Residency,
Rameshwar Nagari, Honaji Nagar,
Jatwada Road, Near Mahadeo Temple,
Harsul, Aurangabad – 431 001.
(Son of respondent No.2)

...RESPONDENTS

Mr. Deshmukh Mohit R., Advocate for the Applicants.
Mr. D. B. Bhange, APP for Respondent – State.
Ms. Karishma Sarin, Advocate for Respondent Nos.2 and 3.

CORAM : ABHAY J. MANTRI, J.
DATE : DECEMBER 22, 2025

JUDGMENT :

1. Heard. **Rule.** Rule is made returnable forthwith and heard finally with the consent of learned counsel for the parties at the admission stage.
2. The applicants/original respondent Nos.4 to 6 have invoked the inherent jurisdiction of this Court seeking to quash the proceeding bearing PWDVA Application No.74 of 2021 pending against them before the learned Judicial Magistrate First Class, Paithan, for the reliefs claimed under Sections 12, 13, 17, 18, 19, 21 and 23 of the Protection of Women From Domestic Violence Act, 2005 (for short “**DV Act**”).
3. Having heard the learned counsel for both parties and upon perusal of the proceedings and the record, at the outset, it appears that the allegations against the applicants are vague and omnibus, and no specific averments have been made against them in the application, nor has any particular role been attributed to them in the present proceedings. Even if

the averments made in the application are taken at face value, they do not disclose any specific instance of domestic violence allegedly committed by the applicants against respondent No.2. Mere general and omnibus allegations that the applicants were also involved in causing domestic violence are insufficient to force them to undergo trial. In the absence of any specific role attributed to the applicants so as to attract the ingredients of Sections 12, 13, 17, 18, 19, 21 and 23 of the Protection of Women from Domestic Violence Act, 2005, it would be unjust and unfair to compel them to undergo the tribulations of a trial.

4. Apart from that, the learned counsel for respondent No.2 does not dispute that the applicants are residing separately from respondent No.2 and her husband. This fact, by itself, is sufficient to indicate that the applicants never lived in a shared household with respondent No. 2, thereby attracting the ingredients of Section 12 of the DV Act against them.

5. In view of the above, in my view, it would be appropriate to quash the proceedings filed against the applicants as it does not prima facie reveal that the applicants have caused any domestic violence against respondent No.2 to attract the provisions of the DV Act against them.

6. As a result, the application is allowed. The proceeding bearing PWDVA Application No. 74 of 2021, pending before the learned Judicial Magistrate First Class, Paithan, for the relief claimed under Sections 12, 13, 17, 18, 19, 21, and 23 of the Protection of Women from Domestic Violence

Act, 2005, to the extent of the applicants, is hereby quashed and set aside.

7. Rule made absolute in the above terms. No order as to costs.

8. Inform the learned Magistrate accordingly.

9. Fees of the learned counsel appointed by this Court shall be quantified as per the Rules.

(ABHAY J. MANTRI, J.)