

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 8 OF 2025

Sachin R. Nair & Ors. ... Petitioners
versus
The State of Maharashtra & Anr. ... Respondents

Mr.Vinay V. Nair with Mr.Venkatesh Jairam for the Petitioners.
Ms.P.N.Dabholkar, APP for Respondent No.1, State.

**CORAM : RAVINDRA V. GHUGE &
PRAVIN S. PATIL, JJ.**

DATE : 27TH JANUARY, 2025

P.C. :-

1. A marital discord has reached the Police Station in the form of a First Information Report (FIR) bearing No. 0256 of 2024, registered on 2nd November, 2024 with the CBD Belapur Police Station, Navi Mumbai.

2. Petitioner No.1 is the husband. Petitioner Nos. 2 and 3 are the parents-in-law.

3. We have considered the strenuous submissions of the learned Advocate for the Petitioners and the learned APP. With their assistance, we have gone through the Petition paper-book.

4. The learned APP submits that after investigation, a charge-sheet has now been filed before the Trial Court. The Complainant has stuck to her allegations against the husband, who used to frequently threaten her of physical assault. He used to lock her in a room and attempt to disconnect her with the outside world.

5. Considering the specific allegations against the husband, we informed the learned Advocate for the Petitioners that we are not inclined to entertain this Petition to the extent of the husband and we would issue notice to the Complainant qua the parents-in-law against whom we find somewhat vague allegations.

6. The learned Advocate for the Petitioners submits, on instructions, that Petitioner No.1 prays for an order since he wants to challenge the order before the Hon'ble Supreme Court.

7. Having perused the FIR, certain grievances have indeed been put forth by the wife as against the husband. The FIR is in Marathi and indicates that even when Petitioner No.1 husband had taken the Complainant wife for their honeymoon, he had spent most of the time quarreling with her. She felt that the husband needs to be given some time and therefore, she did not create much issue of

the same. Then, she realized that even on the quality and taste of the food, he used to constantly keep nagging her. Along with the parents, he prevented the Complainant from using the kitchenware for cooking food. He used to refuse to spend money on the wife. She was prevented from talking to her relatives, much less, to her friends. She was prevented even from visiting her parents.

8. Ultimately, since it became unbearable for her, she left her husband's company in April, 2022. The husband based himself for his professional work in Dubai. When the wife visited him in December, 2023, he had raised a serious quarrel. Even on 13th January, 2024, when she visited him in Dubai, he was constantly quarreling with her and used to tell her that she should return back to her parents and she should not expect any marital obligations/duties from him.

9. In view of the said allegations, we are of the view that the FIR makes out offences against the husband. Considering the law laid down by the Hon'ble Supreme Court in ***Central Bureau of Investigation v. Aryan Singh etc.*¹; State of Odisha Versus Pratima**

1 AIR 2023 SUPREME COURT 1987

*Mohanty and Others*²; and *Kaptan Singh Versus State of Uttar Pradesh and Others*³, this Writ Petition is partly rejected to the extent of Petitioner No.1 husband.

10. Insofar as the allegations against Petitioner Nos. 2 and 3, parents-in-law are concerned, we find that the same are vague and omnibus.

11. **Issue notice to the Respondents** to the extent of Petitioner Nos. 2 and 3, returnable on 5th March, 2025. The learned APP waives service of notice on behalf of Respondent No.1, State.

12. Since the charge-sheet has already been filed, we direct the learned Judge of the Trial Court not to frame a charge as against Petitioners Nos. 2 and 3 (parents-in-law).

13. Leave to place the charge-sheet on record.

14. If the spare copy of the Petition paper-book is not supplied for effecting service, on or before 5th February, 2025, this Petition shall stand dismissed without reference to the Court, on 6th February, 2025.

2 (2022) 16 SCC 703

3 (2021) 9 SCC 35

15. Office objections, if any, to be removed, on or before 10th February, 2025, failing which, the Petition would stand dismissed without reference to the Court, on 11th February, 2025.

(PRAVIN S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)