

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

CRIMINAL APPLICATION NO. 1086 OF 2024

Vivekanand Namdev Bade & Ors. ...Applicants

Versus

The State Of Maharashtra & Anr. ...Respondents

Mr. Nitin Gaware Patil a/w Mr. Shantanu Kolhe, Advocate for the Applicants.

Mr. S.V. Gavand, Addl. P.P., for Respondent No.1/State.

Mr. Shailesh Kharat, Advocate for Respondent No.2.

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

DATE : 22nd JANUARY, 2025

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P.C. :-

1. We have considered the extensive submissions of the learned Advocates for the Applicants and the Complainant, yesterday as well as today. The relations of the Applicants with the Complainant/daughter-in-law, are described as under :-

Petitioner No.	Name of the Petitioner	Relation
1.	Vivekanand Namdev Bade	Husband
2.	Namdev Dattatraya Bade	Father-in-law
3.	Kashibai Namdev Bade	Mother-in-law
4.	Abhimanyu Namdev Bade	Brother-in-law
5.	Savita Rajendra Kedar	Sister-in-law
6.	Rajendra Sabhakar Kedar	Husband of Savita

7.	Sangita Rajkumar Karad	Sister of Namdev Bade
8.	Rajkumar Bhagwat Karad	Husband of Sangita
9.	Balkrushna Dattatraya Bade	Uncle of Vivekanand Bade
10.	Sangita Balkrushna Bade	Aunt of Vivekanand Bade
11.	Uday Balkrushna Bade	Cousin of Vivekanand Bade

2. On instructions, the learned Advocate for the Applicants submits that, Applicant Nos.1 to 3 and 8, that is, Vivekanand Namdev Bade, Namdev Dattatraya Bade, Kashibai Namdev Bade and Rajkumar Bhagwat Karad (husband of the sister-in-law of the Complainant) seek leave to withdraw this Application to their extent. In view of the said instructions, this **Criminal Application is disposed off** as withdrawn, to the extent of Applicant Nos.1 to 3 and 8.

3. Insofar as, the Applicant Nos. 4 to 7 and 9 to 11 are concerned, the learned Advocate for the Complainant has vehemently opposed this Application. He has drawn our attention to the specific portions of the First Information Report ('FIR') to contend that the husband and her parents-in-law were constantly torturing her for dowry and other articles. However, we find that the allegations as against Applicant Nos.4 to 7 and 9 to 11, are vague and omnibus.

4. Applicant No.5 is the elder sister-in-law, who has married much before the marriage of the Complainant and Applicant No.1. Same applies to Applicant No.7, who is the father's sister (Aatya/Buwa). Though she is the wife of Applicant No.8, we find that an amount of Rs.1 Lakh has been allegedly transferred in the account of Applicant No.8. In that context, it is alleged that the father-in-law's sister was party to the taunting of the Complainant.

5. We are of the view that if such vague and omnibus statements are to be considered, the entire clan will have to be prosecuted. The Hon'ble Supreme Court has held that the FIR cannot be an encyclopedia of various events and offences committed. However, there should be some connectivity between the allegations and a particular Accused so as to inspire confidence that such an Accused needs to be subjected to a trial. Since this is missing, we do not find that the submissions of the learned Advocate for the Complainant would support the inclusion of the name of Applicant No.7 in the FIR.

6. In view of the above, this **Criminal Application is partly allowed**. The FIR No.0539 of 2024, registered with the Pimpri

Police Station, Pimpri-Chinchwad on 6th June, 2024, would stand quashed as against Applicant Nos.4 to 7 (Abhimanyu Namdev Bade, Savita Rajendra Kedar, Rajendra Sabhakar Kedar, Sangita Rajkumar Karad) and Applicant Nos.9 to 11 (Balkrushna Dattatraya Bade, Sangita Balkrushna Bade, Uday Balkrushna Bade). Since the chargesheet has not been filed, considering the ad-interim order of this Court, we direct that these 7 Accused, would stand deleted from the proceedings.

7. On a request, we record that if Applicant Nos.1 to 3 and 8 desire to avail of a remedy, as is permissible in law, after the filing of the chargesheet, all contentions are kept open and the withdrawal from this proceedings, would not be an impediment.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)