

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

CRIMINAL WRIT PETITION NO.2585 OF 2025

Balsubramnyam Mani
and others

.....Petitioners

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Vahid Shaikh, Advocate a/w/ S.M.M. Owais T. Jahagirdar for
the Petitioners.

Ms. M.H. Mhatre, APP for the Respondent No.1-State.

**CORAM : SARANG V. KOTWAL &
S.M. MODAK, JJ.**

DATE : 09th MAY, 2025

P.C. :

1. This is a Petition for quashing of Regular Criminal
Case No.996/2023 pending before the learned J.M.F.C., Kalyan,
District-Thane arising out of C.R. No.494/2023 dated 11.9.2023
registered at Mahatma Phule Chowk Police Station, Kalyan under
Sections 498-A, 406, 323, 504, 506 read with 34 of IPC.

2. Heard Mr. Vahid Shaikh, learned counsel for the
Petitioners and Ms. M.H. Mhatre, learned APP for the Respondent
No.1-State.

3. The FIR is lodged by the Respondent No.2. She had

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lost her husband in January, 2023. The Petitioner Nos.1 & 2 are the parents of her husband. The Petitioner No.3 is his brother. The Petitioner No.4 is the wife of the Petitioner No.3. Petitioner No.5 is another brother of the informant's husband and the Petitioner No.6 is the wife of the Petitioner No.5.

4. Learned counsel for the Petitioners submitted that after the death of the informant's husband on 14.1.2023, after about eight months the FIR was lodged on 11.9.2023 essentially for claiming the entire property. He submitted that after the Petitioner No.1 lodged his claim for compensation in respect of death of the informant's husband in an accident, to pressurize the Petitioners this FIR is lodged.

5. We have considered these submissions in the light of the allegations made in the FIR and the charge-sheet. The charge-sheet contains statement of the informant's brother, who has supported the informant's case in her FIR. The FIR mentions that she got married with her husband on 28.10.2022. In the lengthy FIR, the most of the allegations are directed towards the husband. There are some general and vague allegations against the present Petitioners.

6. Though there are certain specific instances mentioned, we find force in the submissions of the learned counsel for the Petitioners at this stage that the FIR is perhaps lodged to pressurize the Petitioners. However, at this stage, it is not possible to record a definite opinion without hearing the Respondent No.2. Learned counsel for the Petitioners has made out a case for grant of ad-interim relief.

7. Hence, the following order:

:: O R D E R ::

- i. Issue notice to the Respondent No.2, returnable on 31.7.2025.
- ii. Till then the trial Court shall not proceed against the Petitioners.
- iii. Stand over to 31.7.2025.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)