

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

Criminal Application No. 313 of 2025

Aniruddha Dilip Kulkarni and others ... Applicants

V/s.

The State of Maharashtra & anr. ... Respondents.

Mr. Prasanna A. Bhangale for the Applicant.

Smt. M.H. Mhatre, APP for the State.

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

DATE : 25th March 2025.

P.C. :

This is an application for quashing of the proceedings pending before the JMFC, Mohol bearing R.C.C. No.151/2024 arising out of F.I.R. bearing C.R. No.33/2024 dated 15th January 2024 registered with Mohol Police Station under Sections 498-A,504,506 read with Section 34 of Indian Penal Code. The investigation is concluded and the charge-sheet is filed. The FIR was lodged by the Respondent No.2. The Applicant No.1 is her husband. The Applicant Nos.2 and 3 are the parents of Applicant No.1. The allegations are mentioned in the FIR. There are statements of parents and uncle of Respondent No.2 who have supported the allegations in the FIR.

2. The Respondent No.2 has stated that she got married with Applicant No.1 on 27th March 2022. At that time, her parents had spent around Rs.2 lakhs for the marriage expenses and Rs.40,000/-

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for engagement ceremony. The informant's parents had declined the Applicant's demand to arrange the marriage ceremony at some resort. After their marriage on 27th March 2022 she started residing with all the Applicants. The husband left for Noida, U.P. alone. She stayed for around 15 days with the Applicant Nos.2 and 3. On 8th April 2022 she went to reside with her husband. Then they went to Kashmir. They stayed together for about one and half months but the marriage was not consummated. There are allegations that Applicant No.1 started asking her to get Rs.12 lakhs as he had spent that amount for their wedding. There are allegations against other two Applicants that they instigated Applicant No.1. On 25th June 2022 the Respondent No.2 was left at her parents' house and since then she was residing with her parents.

3. The learned Counsel for the Applicants submitted that after marriage on 27th March 2022, the Respondent No.2 started residing with her parents from 25th June 2022. Therefore, the cohabitation was only for about 3 months out of which also the husband was in U.P. for about 15 days. The Respondent No.2 had given her application before Women Grievance Cell in August 2023 but there was absolutely no reference to the demand of Rs. 12 lakhs. In fact, she had stated in her another statement before the same Cell on 20th October 2023 that she did not want to get divorce. The learned Counsel submitted that FIR itself shows that she was residing separately since 25th June 2022 and the FIR is lodged much belatedly on 15th January 2024. In between she had given two

statements to the Women Grievance Cell in which there were no allegations of demand made by the Applicant. He submitted that the FIR is, therefore, lodged with malafide intentions.

4. Considering these submissions, it is necessary to hear the Respondent No.2. The learned Counsel for the Applicants has made out a case for grant of interim-relief. Hence, the following order:

ORDER

- (i) Issue notice to the Respondent No.2, returnable on 1st July 2025.
- (ii) Till then the trial Court shall not proceed against the Applicants.
- (iii) Stand over to 1st July 2025.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J)