

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 958 OF 2025

1. Gulab Jangra
2. Shakuntla wf/o Gulab Jangra ...Applicants

Versus

1. Janvi Manchanda
2. The State of Maharashtra ...Respondents

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Ms. Kokila Kalra, for the Applicants.

Mr. Prasanna Malshe, APP for the State – Respondent No.2.

CORAM: N. J. JAMADAR, J.

DATED: 18th SEPTEMBER, 2025

Order:-

1. Heard the learned Counsel for the parties.
2. This is an application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“BNSS”) and Article 227 of the Constitution of India to quash the proceedings bearing CC No.266/DV/2022 filed by respondent No.2 under the provisions of Section 12 of the Protection of Women from Domestic Violence Act, 2005 (“the DV Act, 2005”).
3. The marriage of respondent No.2 was solemnized with the son of applicants - original respondent Nos.2 and 3, on 30th April, 2021. In the wake of the marital discord, respondent No.2 has lodged the complaint under Section 12

of the DV Act, 2005 alleging multiple instances of domestic violence ranging from physical abuse, verbal abuse, social humiliation, economic abuse and emotional abuse.

4. The thrust of the complaint is that the applicants had demanded dowry in the form of expensive jewellery and a car worth of Rs.50,00,000/-, prior to marriage. The complainant did not cave in to the said demand. However, post marriage, the applicants and the husband of the complainant harassed the complainant in order to coerce her to meet the said unlawful demand and thereby the complainant was subjected to domestic violence in various forms.

5. Ms. Kokila Kalra, the learned Counsel for the applicants, would urge that the allegations against the applicants are vague. In fact, the complainant had stayed with the applicants only for the period of six days post her marriage. The applicants have been roped in to wreak vengeance as the son of the applicants has filed a petition for dissolution of marriage, on account of the marital discord and egregious conduct of the complainant. Ms. Kalra placed reliance on a judgment of a Division Bench of this Court in the case of *Vikrant Sudhakar Ambhore and another vs. Varsha Vikrant Ambhore*¹, to lend support to the submission

¹ 2014 All MR (Cri) 2826.

that if the allegations against the in-laws are vague, the complaint under Section 12 of the DV Act, 2005 is required to be quashed.

6. I have perused the allegations in the complaint and the material on record. I find it rather difficult to agree with the submission of Ms. Kalra that the allegations in the complaint qua the applicants are vague and omnibus. In the complaint, the complainant has narrated the sequence of events which culminated in her returning to her parental home. There are specific allegations of unlawful demand qua the applicants. The complainant has furnished a vivid account of the physical, verbal and emotional abuse to which she was allegedly subjected to, with reference to time and events. In paragraphs 15 to 17, there are allegations of verbal, emotional and economic abuse qua the applicants.

7. It is also imperative to note that the complainant has adverted to fact that respondent No.3 – applicant No.2 herein joined the complainant and her husband at Vizag, where the husband of complainant was posted. Thereafter, the complainant has narrated a series of acts and omissions on the part of her husband and applicant No.2, including the incident date 16th October, 2021, wherein the husband of the

complainant had allegedly stabbed her. There are specific allegations of physical abuse against applicant No.2. Allegations of instigation are also attributed to applicant No.1.

8. Ms. Kalra invited that attention of the Court to the statement of the witness which was recorded in the inquiry purportedly held by the Commanding Officer, Naval Base, Kochi, to buttress the applicant's case that, in fact, the complainant was the aggressor. I am afraid, at this stage, it would be permissible to delve into the veracity of the allegations. The fact remains that the complainant had made complaint to the Commanding Officer with the specific allegations including "continued mental and emotional harassment for dowry by the parents (applicants)".

9. The situation which thus obtains is that, there are sufficient allegations against the applicants. It is not a case that an inference can be drawn that even if the allegations in the complaint against the applicants are taken at their face value, their acts and omissions would not fall within the ambit of domestic violence. The veracity and truthfulness of the allegations must await determination at the trial.

10. Resultantly, the application stands dismissed.

[N. J. JAMADAR, J.]