



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (APL) NO. 465 OF 2023

- APPLICANTS :**
1. Nathuram Shivram Trivedi,
Age : 78 years, Occ : Business.
 2. Sushila Nathuram Trivedi,
Age : 67 years, Occ : Household,

Applicants R/o A-1, Kalash Apartment,
Bhagwat Plot, Tapdiya Nagar, Akola.

VERSUS

- NON-APPLICANTS:**
1. The State of Maharashtra
PSO PS Ramnagar,
Chandrapur.
 2. Kirti Shailesh Trivedi,
R/o House no.6, Yamuna Sadan,
Ashraya Colony, Shivaji Nagar,
Grudwara Road, Tukum,
Chandrapur.

Shri M. N. Ali, Advocate for applicants.

Shri Nikhil Joshi, Additional Public Prosecutor for Non-Applicant No.1.

**CORAM: URMILA JOSHI-PHALKE &
NANDESH S. DESHPANDE, JJ.**
DATED : 16/12/2025.

ORAL JUDGMENT : (PER : NANDESH S. DESHPANDE, J.)

1. Heard. **Admit.** Heard finally with the consent of learned
counsel appearing for the parties.

2. This is an application filed under Section 482 of the
Code of Criminal Procedure seeking quashing of First Information

Report along with consequent charge sheet bearing Crime No.1268/2021 for the offences punishable under Sections 498-A, 377, 34 of the Indian Penal Code, 1860. It is a case of the first informant / non-applicant No.2 that she was married with one Shailesh Nathuramji Trivedi, the son of present applicants on 23/06/2018. She further alleges that even though her father has no financial capacity, the applicants as well as her husband forced her family to pay dowry. She further states that after commencement of matrimonial life, she was treated well for some days. However, with passage of time, the applicants started to harass her which was continued by the husband of the first informant. On those allegations, the First Information Report was lodged which is impugned in the present application.

3. We have heard Shri M. N. Ali, learned counsel for the applicants as well as Shri Nikhil Joshi, learned Additional Public Prosecutor for the non-applicant No.1 – State. Nobody appears for Non-applicant No.2, though served.

4. Learned counsel for the applicants states that the general and vague allegations are made against the present applicants who are the parents of the husband and there is no specific role attributed to them. He further submits that even if the allegations are taken to be true, no offence muchless contemplated

under Section 498-A of the Indian Penal Code is made out against the present applicants. He, therefore, submits to quash the First Information Report and consequent charge sheet.

5. Learned APP, on the other hand, vehemently opposed the contentions advanced by the learned counsel for the applicants. The First Information Report would reveal that specific role is attributed to the applicants who were instigating the husband of the non-applicant No.2 to harass her and therefore, case for trial is made out.

6. We have perused the contentions advanced by the learned counsel for the parties.

7. As can be seen from the First Information Report in question, the only role attributed to the applicants can be said to be normal wear and tear, which is common parlance in the house. More specific role or allegation with material particulars is required in law or in the First Information Report to constitute an offence. Even though there are allegations against the husband of the non-applicant No.2, we are limiting us *vis-a-vis* the allegations against the present applicants. Even after careful perusal, we do not find any specific role attributed to the applicants so as to make them face criminal trial.

8. As has been observed by the Hon'ble Apex Court time and again, the Court is flooded with matrimonial litigations where the allegations are made against the family members of the husband and there is a growing tendency to implicate all the family members, such practice has been deprecated by the Hon'ble Apex Court time and again. A beneficial reference in that regard can be made in the Judgment of the Hon'ble Apex Court in **Dara Laxmi Narayana Vrs. State of Telangana, (2025) 3 SCC 735.**

9. On careful perusal of law settled by the Hon'ble Apex Court and the First Information Report in question, we are of the considered opinion that no case is made out as far applicants are concerned, we therefore, pass the following order :-

ORDER

- i] The application is allowed.
- ii] The First Information Report bearing Crime No.1268/2021 and the RCC No.502/2023 pending before the Judicial Magistrate First Class, Chandrapur is quashed and set aside to the extent of **Applicant No.1 – Nathuram Shivram Trivedi and Applicant No.2 – Sushila Nathuram Trivedi.**
- iii] The application is disposed of in above terms.

[NANDESH S. DESHPANDE, J.]

[URMILA JOSHI-PHALKE, J.]