



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION [APL] NO.647 OF 2022

[Sadashiv s/o Beniram Patle and others .vs. State of Maharashtra and one]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.S. Mishra, Advocate for Applicants.
Shri S.A. Ashirgade, APP for Non-Applicant No.1/State.
Ms. Kirti Deshpande, Advocate (Appointed) for Non-Applicant No.2.
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CORAM : ANIL S. KILOR AND
PRAVIN S. PATIL, JJ.

DATE : APRIL 01, 2025.

P.C.

The applicants have been chargesheeted for the offences punishable under Sections 306, 498-A, 354 r/w Section 34 of the Indian Penal Code, which is sought to be quashed and set aside by the present applicants by way of this application filed under Section 482 of the Code of Criminal Procedure.

2. The applicant no.1 is the father-in-law, applicant no.2 is the mother-in-law and applicant no.3 is the brother-in-law of the deceased. The non-applicant no.2 is the informant, who is the sister of the deceased.

3. It is the case of the prosecution that the husband of the deceased died in the year 2014. Thereafter, the applicants started making demand of Rs.5,00,000/- (Rs. Five Lacs) to the deceased and non-satisfaction of the same tortured and ill-treated her, due to which, she committed suicide.

4. In light of the allegations made in the complaint, we perused the chargesheet, wherefrom it is evident that the allegations made against the applicants are general and vague.

In the present matter there are no allegation that the accused plays an active role in tarnishing the self-esteem and self-respect of the victim, which eventually draws the victim to commit suicide. There is nothing to suggest that the acts of the accused or their continuous course of conduct creates a situation which leads the deceased perceiving no other option except to commit suicide.

5. In the circumstances, as there is no sufficient material to show the involvement of the applicants in the alleged offence and further there are no allegations to prima facie constitute the offence under Section 306 of the Indian Penal Code, we are of the view that this is a fit case for quashing of the chargesheet.

6. Accordingly, the application is allowed.

7. Chargesheet dated 20.05.2019 in Crime No.253/2018 registered with Police Station, Goregaon, District-Gondia for the offence punishable under Section 306, 498-A, 354 r/w 34 of the Indian Penal Code is hereby quashed and set aside.

8. Fees of the learned counsel appointed on behalf of non-applicant no.2 be paid as per rules.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)