



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

CRIMINAL APPLICATION (APL) NO.512 OF 2024

Dr. Pramodrao Shankarrao Bhagwat and others
Vs.

State of Maharashtra, through Police Station Officer, Chandur Bazar
Amravati (Rural), District Amravati and another

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

Court's or Judge's orders

Mr. P. R. Agrawal, Advocate for applicants.
Ms. S. S. Dhote, APP for non-applicant No.1/State.

CORAM : URMILA JOSHI-PHALKE AND
NANDESH S. DESHPANDE, JJ.
DATED : 11/11/2025

1. Present application is preferred by the applicants for quashing of the First Information Report in connection with Crime No.703/2023 dated 07.11.2023 registered with Police Station Chandur Bazar, District Amravati for the offence punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. The applicant Nos.1 and 2 are the in-laws and applicant No.3 is the brother-in-law. The crime is registered on the basis of a report lodged by the informant – non-applicant No.2, on an allegation that her marriage was performed with the co-accused in the year 2020. After marriage, she resumed the cohabitation, but her husband was addicted to bad vices like drinking liquor and she was subjected for mental as well as physical harassment on the instigation of the present applicants. On the basis of the said

report, police have registered the crime against the present applicants.

3. Heard learned counsel for the applicants, who submitted that as far as the allegations regarding the harassment at the hands of the present applicants are concerned, which is general in nature. They are implicated in the alleged offence merely because they are close relatives of the husband. In fact, the husband and wife i.e. the non-applicant No.2 and her husband, who is the co-accused were residing at Pune, whereas the present applicants are residing at Amravati. There is no allegation that at any point of time they have visited each others' house and at that point of time there was ill-treatment at the hands of the present applicants. The general and omnibus allegations are levelled against them. Continuing the proceedings against them would be the abuse the process of law.

4. Learned APP strongly opposed for the same and submitted that there are specific allegations levelled against the in-laws and therefore, the application deserves to be rejected.

5. The non-applicant No.2 though served and represented by the learned counsel Mr. Dapurkar, none present for the non-applicant No.2.

6. After hearing both sides and on perusal of the investigation papers, it reveals that the entire allegations are levelled against the co-accused, who is the husband as far as

the ill-treatment is concerned. The only allegation against the present applicants is that they have instigated the other co-accused, who is the husband of the informant and on their instigation, the husband was ill-treating her. The careful scrutiny of the FIR shows that vague, general and omnibus allegations are made against the present applicants regarding the ill-treatment at the hands of the husband. No particulars of such ill-treatment at the hands of the present applicants are given or mentioned in the FIR. In view of that, the observation of the Hon'ble Apex Court in the case of **Preeti Gupta vs State of Jharkhand** reported in **(2010) 7 SCC 667** is material which is reproduced as under:

"30. It is a matter of common knowledge that unfortunately matrimonial litigation is rapidly increasing in our country. All the courts in our country including this court are flooded with matrimonial cases. This clearly demonstrates discontent and unrest in the family life of a large number of people of the society.

32. It is a matter of common experience that most of these complaints under section 498-A IPC are filed in the heat of the moment over trivial issues without proper deliberations. We come across a large number of such complaints which are not even bona fide and are filed with oblique motive. At the same time, rapid increase in the number of genuine cases of dowry harassment is also a matter of serious concern.

34. Unfortunately, at the time of filing of the complaint the implications and consequences are not properly visualized by the complainant that such

complaint can lead to insurmountable harassment, agony and pain to the complainant, accused and his close relations."

7. It is apparent that the present applicants, who are the close relatives are implicated only because they are the relatives of the husband and the matrimonial dispute arose between them.

8. The Hon'ble Apex Court in the case of **Dara Lakshmi Narayana and others vs. State of Telangana and another** reported in **MANU/SC/1309/2024** has made it clear that family members of the husband ought not to be unnecessarily roped into criminal proceedings arising out of matrimonial discord. It is further observed that it has become a recurring tendency to implicate every member of the husband's family, irrespective of their role or actual involvement, merely because a dispute has arisen between the spouses.

9. In the light of the above observations, if the facts of the present case are taken into consideration, admittedly, due to the matrimonial dispute between the husband and wife, the applicants, who were residing at a different place, were implicated on general and omnibus allegations. In view of that the application deserves to be allowed. Accordingly, we proceed to pass following order.

ORDER

(i) The application is **allowed**.

(ii) The First Information Report in connection with Crime No.703/2023 dated 07.11.2023 registered with Police Station Chandur Bazar, District Amravati for the offence punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code and consequent proceeding arising out of the same bearing RCC No.82/2024 pending before the Judicial Magistrate First Class, Court No.1, Chandur Bazar, is hereby quashed, to the extent of the present applicants.

The application is disposed of.

(NANDESH S. DESHPANDE, J) (URMILA JOSHI-PHALKE, J)