



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

CRIMINAL APPLICATION (APL) NO.633/2019

Smt. Ruhina Anjum W/o Zakir Khan,
aged about 25 Yrs., Occu. Household Work,
R/o House No.5/9/107, Behind RTO
Office, Station Road, Aurangabad. ... Applicant

- Versus -

1. The State of Maharashtra,
through Police Station Officer,
Buldhana City Police Station,
Distt. Buldhana.
2. Smt. Humera Tabassum W/o Azmat-ul-Haq,
aged but 24 Yrs., Occu. Household Work,
R/o C/o Syed Mazhar Alvi,
Wander Bholji, Tq. Nandura,
Distt. Buldhana. ... Non-applicants

Ms. Shaad Mirza, Advocate h/f Mr. Firdos Mirza, Advocate for
the applicant.

Ms. S.S. Jachak, A.P.P. for non-applicant No.1/State.

Mr. A.B. Mirza, Advocate for non-applicant No.2.

CORAM: ANIL S. KILOR AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 19.6.2025.

JUDGMENT (*Per Anil S. Kilor, J.*)

Rule. Rule made returnable forthwith. Heard finally
by consent of learned Advocates for the parties.

2. By present application, the applicant who is the sister-in-law of non-applicant No.2, prays for quashing and setting aside the Crime No.0253/2019 dated 16.5.2019 registered with Police Station Buldhana City for the offence punishable under Sections 498-A, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

3. In the present matter while issuing notice on 3.7.2019 a direction was issued to the State not to file charge-sheet and accordingly, the charge-sheet is not filed in the present matter. However, it is to be noted that in the present crime, the brother of the applicant and husband of non-applicant No.2 was co-accused against whom the charge-sheet was filed and the trial was conducted. In the trial, the non-applicant No.2 made a statement that she has no complaint against the accused and she does not want to prosecute the accused as they have settled the matter out of Court. The learned trial Court, therefore, vide judgment and order dated 24.11.2021 acquitted the brother of the applicant in

the present offence. Considering the above referred fact, we are of the opinion that the F.I.R. in question needs to be quashed and set aside. Apart from above, on merits also, considering the allegations made in the F.I.R., we are of the opinion that no offence is made out against the present applicant.

4. For the aforesaid reasons, the criminal application is allowed.

F.I.R. No.0253/2019 dated 16.05.2019 registered at Buldhana City Police Station, Distt. Buldhana for the offence punishable under Sections 498-A, 323, 504 and 506 read with Section 34 of the Indian Penal Code is quashed and set aside against the present applicant.

(MRS.VRUSHALI V. JOSHI, J.)

(ANIL S. KILOR, J.)