



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

CRIMINAL WRIT PETITION NO. 1019 OF 2025

Ankush Dnyaneshwar Mhala and Others

-- VERSUS --

The State of Maharashtra 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. A.A. Dhawas, Advocate for the Petitioners.

Mr. G.S. Umale, A.P.P. for the Respondent No.1/State.

CORAM : M.M. NERLIKAR, J.

DATE : DECEMBER 10, 2025.

Heard the learned counsel for the petitioner.

2. The First Information Report was registered against the husband, father-in-law, mother-in-law, sister-in-law and brother-in-law. The accused applied for discharge by filing an application [R.C.C. No.131/2021]. The said application was partly allowed on 15/02/2024 by the Judicial Magistrate First Class, (Court No.2), Chandrapur, and out of 5 accused persons, 2 persons were discharged, i.e., sister-in-law and brother-in-law. Against same, revision was preferred before the Additional Sessions Judge, Chandrapur, by the petitioners which came to be rejected on 24/07/2025. Being aggrieved, the present petition is filed by the husband, father-in-law and mother-in-law.

3. I have perused the F.I.R. After perusal of the F.I.R., it appears that the informant – Kalyani has lodged the F.I.R. alleging cruelty and harassment at the hands of accused persons. The marriage between the petitioner No.1 and Kalyani was a love marriage and solemnized on 29/06/2018. After marriage she cohabited with her husband at village Katol, where she conceived and delivered baby girl. It is alleged that after petitioner No.1 left his job, the petitioners used to quarrel with her over trivial issues. They used to say that the petitioner No.1 has lost his job, and therefore, she should bring money from her father, and accordingly, the petitioners started ill-treating her physically and mentally. It is further alleged that on 22/12/2018, the mother of the informant was ill, and accordingly, the informant and her mother-in-law went to Chandrapur to see her. There, the mother-in-law demanded half share in the property from the parents of informant and stated that if half share is parted with then only she will take the informant back to her matrimonial home, and accordingly, went back alone. Since that time the informant started living with her parents. During that period, the informant was blessed with a baby girl. Thereafter, on 16/06/2019, the informant was taken back to her matrimonial house by her husband at Nagpur. After some days, the mother-in-law and father-in-law demanded share in the property of the

parents of informant. As informant and her parents failed to give the share in the property, the petitioners, on 22/07/2019, quarreled and assaulted the informant and further levelled false allegations on her character. Therefore, based on these allegations the F.I.R. came to be registered as F.I.R. No. 817/2020. The charge-sheet was filed on 31/12/2020.

4. As was stated earlier, the petitioners, alongwith sister-in-law and brother-in-law, applied for discharge. The application was partly allowed by discharging the sister-in-law and brother-in-law. However, the application of the petitioners was rejected. The revision preferred against that order was also rejected, and therefore, the present petition was filed.

5. I have gone through the findings of both the Courts. Apparently, the only question before me is whether there is material before the Court to frame charge or not, or sufficient grounds to proceed against the accused persons are made out or not. While considering the entire record, both the Courts have concurrently held that there is sufficient material to proceed against the present petitioners. After perusal of the F.I.R. and charge-sheet, admittedly, there are allegations of demand of share

in the property. There is also allegations of cruelty which have been described in detail in the F.I.R. with specific dates, and there are also serious allegations of suspecting her chastity / character. All the aforesaid acts amount to cruelty and harassment which allegations are sufficient to attract Section 498-A of the Indian Penal Code, 1860, and to frame charge.

6. The suspicion on character is a serious allegation that cannot be treated lightly. In the complaint itself, she has disclosed about the same, which is further corroborated by several witnesses. That, by itself, is sufficient to proceed further. In addition, the demand for a share in her father's property is also amounting to mental harassment. Therefore, a mini-trial cannot be held by appreciating the material at this stage. Truthfulness of allegations cannot be gone into at this stage. Only it has to be considered before framing of charge, is whether there is material to proceed further, and not the material to convict the accused persons.

7. Therefore, considering the above facts and circumstances, I do not find any perversity or error in both the orders passed by the Courts below, and therefore, the present petition is **dismissed**.

[M.M. NERLIKAR, J]