IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 246 OF 2026

1] Vaibhav s/o Rambhaji Adhav
(Husband of the complainant)

2] Rambhaji s/o Dinkar Adhav
(Father-in-law)

3] Kasabai w/o Rambhaji Adhav
(Mother-in-law)

4] Sangita d/o Rambhaji Adhav
(Sister-in-law)

5] Anita w/o Shankar Bonage
(Sister-in-law)

6] Shankar s/o Shivaji Bonage
(Husband of applicant no. 5)

7] Sunita w/o Arun Dahatonde
@ Sunita d/o Rambhaji Adhav,
(Sister-in-law)

8] Minakshi w/o Kishor Debare
@ Minatai d/o Bapurao Labade,
(Maternal aunt of applicant no. 1)

9] Kishor s/o Zumbar Debare
(Husband of applicant no. 8)

10] Yashoda w/o Suhas Dahatonde
@ Yashoda d/o Bapurao Labade,
(Maternal aunt of applicant no. 1)

11] Samabai w/o Bapu Labade
(Grandmother of applicant no. 1)

12] Arun s/o Baban Dahatonde
(Husband of applicant no. 7)

..APPLICANTS
(Orig. Accused Nos. 1 to 12)

VERSUS

1] The State of Maharashtra

2] Priti w/o Vaibhav Adhav
(Original Complainant)

..RESPONDENTS
(Resp. No. 2 is the
Orig. Complainant)

Mr. Abhijit C. Darandale, Advocate for the Applicants
Mr. S. K. Shirse, APP for Respondent No. 1
Mr. Bhaginath T. Bodkhe, Advocate for Respondent No. 2

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 27th OCTOBER, 2026

PER COURT :

1. The present application is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by the original accused nos. 1 to 12, seeking quashment of F.I.R. bearing Crime No. 1094/2025 dated 20.11.2025 registered with Tophkhana Police Station, Ahilyanagar for the offences punishable under Sections 85, 324(2), 115(2), 352, 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023. By way of amendment, the applicants have also challenged the charge-sheet filed on 08.01.2026, the consequent proceedings in R.C.C. No. 72 of 2026 pending before the learned Chief Judicial Magistrate, Ahmednagar, and the order dated 04.02.2026 issuing process against them.

2. Applicant no. 1 is the husband of respondent no. 2, the complainant. Their marriage took place on 28.12.2021 at Alandi and they resided at the flat of applicant no. 1 at Pune. Applicant nos. 2 and 3 are the parents-in-law residing at village Dhanora, applicant no. 4 is the unmarried sister-in-law working at Pune, applicant nos. 5 and 7 are the married sisters-in-law and applicant nos. 6 and 12 are their husbands, applicant nos. 8 and 10 are the maternal aunts of applicant no. 1 and applicant no. 9 is the husband of applicant no. 8, and applicant no. 11 is the 77 year old grandmother of applicant no. 1.

3. As per the F.I.R., after the complainant was treated well for one month, the applicants ill-treated her saying that her parents had not given anything in the marriage, the husband abused her and demanded a gold chain, and in the year 2023 applicant nos. 1 to 6 demanded Rs. 15 lakhs for purchasing an office at Pune and furniture. It is alleged that on 29.12.2023, applicant nos. 1, 2, 3, 5, 7, 11 and 12 came to her house, abused and assaulted her, demanded Rs. 15 lakhs, snatched her ornaments, threatened to kill her parents and drove her out of the house. It is alleged that she returned on the request of her husband but the ill-treatment continued. It is further alleged that applicant no. 6 threatened her on phone and being tired of the harassment, she left the matrimonial house on 06.02.2025. The F.I.R. came to be registered on 20.11.2025.

4. Learned counsel for the applicants submitted that the allegations are omnibus and vague and except applicant no.1, all the applicants reside separately at different places, and applicant nos. 4 to

12 never had an occasion to stay with the complainant at Pune. He pointed out that, after leaving the house on 06.02.2025, the complainant first approached the Bharosa Cell, S.P. Office, Ahilyanagar, where her complaint was only against applicant nos. 1, 2 and 5, and the F.I.R. was lodged much later, only after applicant no.1 conveyed his intention to seek divorce, as a counterblast. He submitted that the incidents alleged are reported after an inordinate and unexplained delay, the charge-sheet contains only the similarly worded statements of the relatives of the complainant without any specific overt act, and that process has been issued mechanically.

5. The learned APP and the learned counsel for respondent no. 2 opposed the application, contending that the F.I.R., including the incident dated 29.12.2023, discloses specific allegations of cruelty, assault and demand of money, which are supported by the statements recorded during investigation and are matters for trial.

6. In ***State of Haryana v. Bhajan Lal*** (1992 Supp (1) SCC 335), the Hon'ble Supreme Court has held that criminal proceedings may be quashed where the allegations, even if taken at their face value, do not disclose an offence, or where the proceedings are manifestly attended with mala fide and maliciously instituted with an ulterior motive. In ***Geeta Mehrotra v. State of Uttar Pradesh*** ((2012) 10 SCC 741) and ***Kahkashan Kausar v. State of Bihar*** ((2022) 6 SCC 599), it has been held that general and omnibus allegations against the relatives of the husband in matrimonial disputes cannot sustain prosecution.

7. Applying these principles, it is seen that the F.I.R. arrays as

many as twelve persons, including the married sisters-in-law and their husbands, the maternal aunts of the husband and the husband of one of them, and the 77 year old grandmother, all of whom reside separately at different places, some of them being government servants and applicant no.6 being posted with the Army in Rajasthan. The allegations against them are general and are not supported by any specific particulars. Their implication appears to be only by reason of their relationship with the husband.

8. As regards the remaining allegations, including the incident dated 29.12.2023, the complainant continued to reside with applicant no. 1 till 06.02.2025, and the incident was reported for the first time in the F.I.R. lodged on 20.11.2025, nearly two years later, without any explanation for the delay. Her earlier complaint before the Bharosa Cell was confined to applicant nos.1, 2 and 5, whereas the F.I.R., lodged after applicant no.1 conveyed his intention to seek divorce, extends the allegations to twelve persons. These circumstances indicate that the F.I.R. is an afterthought and has been lodged as a counterblast, and the charge-sheet adds no specific material against the applicants. The case, therefore, falls within the categories laid down in ***Bhajan Lal*** *(supra).*

9. Thus, continuation of the prosecution against the applicants would be an abuse of process of law. This Court is, therefore, persuaded to exercise its inherent jurisdiction under Section 528 of B.N.S.S. Hence, the following order :-

O R D E R

i) Criminal Application is allowed.

ii) F.I.R. bearing Crime No. 1094/2025 dated 20.11.2025 registered with Tophkhana Police Station, Ahilyanagar, for the offences punishable under Sections 85, 324(2), 115(2), 352, 351(2) read with Section 3(5) of B.N.S., 2023, the charge-sheet filed pursuant thereto, R.C.C. No. 72 of 2026 pending before the learned Chief Judicial Magistrate, Ahmednagar, and the order dated 04.02.2026 issuing process, stand quashed and set aside as against applicant nos. 1 to 12.

(SUSHIL M. GHODESWAR, J.)