IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 257 OF 2026

1. AKSHAY DILIP CHAVAN, husband,
2. DILIP RANGNATH CHAVAN, father-in-law,
3. CHHAYA DILIP CHAVAN, mother-in-law,
4. POOJA YOGESH BORADE, sister-in-law,
5. DNYANESHWAR RANGNATH CHAVAN, cousin father-in-law,
6. MANISHA DNYANESHWAR CHAVAN, cousin mother-in-law

VERSUS

THE STATE OF MAHARASHTRA
AND
VAISHALI AKSHAY CHAVAN

...

Shri Chavan Sudhir K., Advocate for the Applicants.
Shri S.K. Shirse, APP for Respondent No.1/ State.
Shri B.P. Thakare, Advocate for Respondent No.2.

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 23 October 2026

P. C. :-

1. Applicant No.1 is the husband whereas applicant Nos.2 to 6 are the in-laws of respondent No.2/ informant. They are challenging FIR No.520/2025 dated 04.12.2025 registered with the Chalisgaon Police Station, District Jalgaon, at the behest of respondent No.2 for the offences punishable under Sections

352, 351(2), 115(2) and 85 of the Bhartiya Nyaya Sanhita, 2023.

2. As per the report lodged by respondent No.2/ complainant, her marriage with applicant No.1/husband took place on 30.06.2020. The applicants are relatives of the said husband. After her marriage, initially respondent No.2/ wife was treated well and out of the said wedlock, a male child is born, who was 04 years of age at the time of lodging of the FIR. However, the husband and his relatives used to physically assault and abuse her on account of petty issues. The husband also used to doubt her character and subjected her to continuous mental cruelty. The applicants also demanded Rs.3 lakhs and her father also gave the said amount. The applicants, however, used to support her husband and instigate him so that he should harass respondent No.2. Though there was attempt of conciliation at the Women Grievance Redressal Cell, however, same was not fruitful. As such, the aforesaid FIR came to be registered at the behalf of respondent No.2.

3. In pursuance of the aforesaid FIR, the investigation was set in motion and after completion of investigation, the charge-sheet was filed on 19.01.2026. Now, the proceedings

bearing RCC No.46/2026 are going on before the learned Judicial Magistrate, First Class, Chalisgaon.

4. The learned advocate for the applicants specifically pointed out that on the date of one of the incident as alleged by respondent No.2/ informant i.e. 30.08.2024, applicant No.1/ husband was on his duty from 08:28 to 17:44 hours at Pune, which would be evident from Punch-in and Punch-Out record of the company i.e. Tata Motors. Similarly, on 27.04.2024, the husband was at Pune and visited at hospital for medical reason of child. In this regard, the learned advocate has relied upon online payment receipts and hospital receipts. According to the learned advocate, entire allegations are made afterthought and so as to give counterblast to the divorce proceedings filed by the husband on 30.07.2025. The present FIR is filed on 04.12.2025 and that is after appearance of respondent No.2 in the divorce proceedings on 29.10.2025.

5. In view of the above submissions, the learned advocate submitted that the applicants have been falsely implicated in the crime. Applicant Nos.2 to 6 are implicated merely because of their relationship with the husband of the

informant. All the applicants have no concern with the crime in question. The learned counsel for the applicants further submitted that the continuation of the criminal prosecution against them would amount to an abuse of the process of law and, therefore, they have approached this Court seeking quashing of the FIR in question.

6. *Per contra*, the learned APP appearing for the respondent/ State as well as the learned advocate appearing for the respondent/ informant strongly opposed the instant application. They submitted that sufficient material is available against the applicants. According to them, sufficient allegations have been made against the applicants and they have played major incriminating role in the crime in question. It would be premature to conclude that they are not involved in the crime. They are required to be prosecuted before the trial Court for having committed serious crime against respondent No.2. Hence, they prayed for rejection of the instant application.

7. At this stage, it would be apposite to refer to some judgments of the Hon'ble Supreme Court. The Hon'ble Supreme Court in ***State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335***,

laid down the categories of cases in which the High Court may exercise its inherent powers to quash criminal proceedings to prevent abuse of the process of law and to secure the ends of justice. Further, in ***Geeta Mehrotra v. State of Uttar Pradesh, (2012) 10 SCC 741, K. Subba Rao v. State of Telangana, (2018) 14 SCC 452,*** and ***Kahkashan Kausar @ Sonam v. State of Bihar, (2022) 6 SCC 599***, the Hon'ble Supreme Court emphasized the need to scrutinize the allegations made against the relatives of the husband in matrimonial disputes and observed that general and omnibus allegations, without specific allegations disclosing their individual involvement in the alleged offences, may not justify the continuation of criminal proceedings against them. In the case in hand, the allegations against the applicants, therefore, need to be examined in the light of the aforesaid principles laid down by the Hon'ble Supreme Court.

8. After going through the FIR in question as well as the statements recorded by the Investigating Officer and also the specific submissions made by the learned advocate for the applicant, it is found that the FIR has been lodged as a result of matrimonial differences between the husband and wife. It is also

evident that the specific documents relied upon by the learned advocate for the applicants have not been denied by the prosecution and those documents prima facie show that applicant No.1/ husband was on duty at Pune. It would also reveal that the FIR has been lodged after the husband has filed the divorce proceedings. The relatives of the husband have been implicated on account of their relationship with the husband. Perusal of the FIR and other documents brought on record would reveal that the allegations against the applicants are found to be vague and general in nature. No specific incident, date or event has been stated in the FIR so as to attribute any specific overt act to the applicants. The FIR contains only vague and omnibus allegations against them. Therefore, such bald allegations, in the absence of specific allegations disclosing their individual involvement in the crime, are insufficient to justify the continuation of criminal prosecution against them. Neither the contents of the FIR nor the statements recorded by the Investigating Officer disclose any specific overt act on the part of any of the applicants so as to attract the provisions of the penal sections invoked against them.

9. In view of the aforesaid discussion, it is found that

the allegations do not disclose specific involvement of the applicants in the crime. Therefore, in order to prevent an abuse of process of the Court and to secure the ends of justice, the instant application deserves to be allowed and the criminal proceedings against the applicants deserve to be quashed and set aside. Hence, the following order:

ORDER

(a) The Criminal Application is allowed.

(b) FIR No.520/2025 dated 04.12.2025 registered with the Chalisgaon Police Station, District Jalgaon, at the behest of respondent No.2 and the further consequential proceedings arising out of the said FIR, are hereby quashed and set aside.

kps (SUSHIL M. GHODESWAR, J.)