IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 353 OF 2025

1] Chhagan Vasant Sonawane
(Husband)
2] Vatsala Vasant Sonawane
(Mother-in-law)
3] Manisha Ravindra More
(Married sister-in-law)
4] Ravindra Namdeo More
(Husband of applicant No.3)
5] Rashmi Pravin More
(Married sister-in-law)
6] Pravin Sadashiv More
(Husband of applicant No.5) ..APPLICANTS
(Orig. Accused)

VERSUS

1] The State of Maharashtra

2] Shital @ Bhumika W/o Chhagan Sonawane
(Original Complainant) ..RESPONDENTS

Mr. A. D. Sonar, Advocate for the Applicants.
Mr. V. M. Lomte, APP for Respondent No.1/ State.
Mr. H. V. Tungar, Advocate for Respondent No.2/ Complainant.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 04th NOVEMBER, 2026

PER COURT :

1. Heard the learned advocates appearing for the respective parties.

2. Applicant No.1 is the husband and applicant No.2 is the mother-in-law of respondent No.2/ complainant. Applicant Nos.3 and 5 are the married sisters-in-law of respondent No.2, and applicant Nos.4 and 6 are their husbands.

3. By this application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicants are challenging FIR No.0797/2024 dated 03.12.2024 registered with the Dhule Police Station, Tq. & Dist. Dhule, at the behest of respondent No.2 (Shital @ Bhumika Chhagan Sonawane), for the offences punishable under Sections 85, 115(2), 352, 351(2) and 351(3) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. As per the report lodged by respondent No.2/ complainant, her marriage with applicant No.1 took place on 06.06.2021, and thereafter she resided at the matrimonial house at Nijampur. It is alleged that she was treated well for about five to six months, and thereafter, when she became pregnant, she went to her parental house for delivery and gave birth to a female child on 28.04.2022. It is alleged

that on 14.08.2022, when the applicants came to her parental house to take her back, they quarreled with her mother, and applicant No.1 abused and beat informant on the ground that she did not do household work. It is further alleged that after she returned to the matrimonial house, the mother-in-law ill-treated her, and that the applicants subjected her to physical and mental harassment. on 21/10/2022, the son of the informant's maternal uncle, came to the matrimonial home at Nijampur and on same day she went with him to her maternal uncle house at Shirud. It is alleged that after Diwali when informant contracted her in-laws by phone, applicants did not respond and blocked her mobile number. No one for the matrimonial side came to take her back. Therefore informant filed a complainant before the Bharosa Cell, on 15/05/2023, but applicant did not lead to any settlement . As such, the aforesaid FIR came to be registered at the behest of respondent No.2 on 03.12.2024.

5. In pursuance of the aforesaid FIR, the investigation was set in motion and after completion of investigation, the charge-sheet was filed, and the proceedings bearing R.C.C. No.211/2025 are pending before the learned Judicial Magistrate, First Class, Dhule.

6. The learned advocate for the applicants submitted that the allegations are vague and general, without any specific role attributed to any of the applicants. Respondent No.2 left the matrimonial house on 21.10.2022 and has since been residing with her father, whereas the FIR came to be lodged on 03.12.2024, after more than two years, without any earlier complaint. He further submitted that applicant No.2 is an aged and ailing woman, applicant Nos.3 and 4 reside at Shahada, Dist. Nandurbar, and applicant Nos.5 and 6 reside at Kharghar, Dist. Raigad. Hence, continuation of the prosecution would amount to an abuse of the process of law. therefore prayed for quashing of aforesaid FIR and proceeding arising out of the said FIR.

7. Per contra, the learned APP appearing for respondent No.1/ State as well as the learned advocate appearing for respondent No.2/ complainant strongly opposed the instant application. They submitted that sufficient material is available in the charge-sheet against the applicants and their role is a matter to be decided at the time of trial. Hence, they prayed for rejection of the instant application.

8. 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 ***Preeti Gupta v. State of Jharkhand***, (2010) 7 SCC 667, ***Geeta Mehrotra v. State of Uttar Pradesh***, (2012) 10 SCC 741, 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 in matrimonial disputes and observed that general and omnibus allegations, without specific allegations disclosing individual involvement in the alleged offences, may not justify the continuation of criminal proceedings. 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.

9. After going through the FIR in question and the material on record, it is found that the FIR is the outcome of matrimonial differences between respondent No.2 and applicant No.1. Apart from the incident dated 14.08.2022, the allegations of physical and mental harassment are made against the applicants collectively, without any specific date, incident or overt act attributed to any of them, and there

is no allegation of any demand. Applicant Nos.3 and 5 are married and reside with their husbands, applicant Nos.4 and 6, at Shahada and Kharghar respectively. Insofar as applicant No.1 is concerned, the only specific allegation is that on 14.08.2022 he abused and beat respondent No.2 on account of household work. The said incident is stated to have occurred more than two years prior to the lodging of the FIR on 03.12.2024, and no explanation has been offered for such delay, nor any earlier complaint was made. Such allegations are insufficient to justify the continuation of criminal prosecution against the applicants.

10. In view of the aforesaid discussion, it is found that the FIR is the outcome of a matrimonial dispute and the allegations do not disclose the specific involvement of the applicants. 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.0797/2024 dated 03.12.2024 registered with the

Dhule Taluka Police Station, Tq. & Dist. Dhule, at the behest of respondent No.2 (Shital @ Bhumika Chhagan Sonawane) and the further proceedings arising therefrom, including R.C.C. No.211/2025 pending before the learned Judicial Magistrate,First Class, Dhule, are hereby quashed and set aside.

(SUSHIL M. GHODESWAR, J.)