IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

996 CRIMINAL APPLICATION NO. 426 OF 2026

1. Vishal s/o Bharat Raut (husband)
2. Ms.Vishakha w/o Bharat Raut (mother in law)
3. Bharat s/o Dnyanoba Raut (father in law)
4. Sonali d/o Bharat Raut (sister in law)
5. Vandana w/o Balkrishna Kamble

Vs.

State of Maharashtra and another

Mr.N.R.Shaikh, Advocate for the Applicants.
Mr.M.A.Aher, APP for the Respondent/State.
Mr.S.G.Sonawane, Advocate for Respondent No.2.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 30th OCTOBER, 2026

PER COURT :

1. Heard the learned Advocate for the Applicants and the learned APP for State and learned Advocate for Respondent No.2.

2. The Applicants are challenging the FIR No.20/2026 registered with Kalamb Police Station, Tal.Kalamb, Dist.Dharashiv dated 16.01.2026, for the offences punishable u/s 115(2), 3(5), 351(2), 352, 85 of B.N.S. and RCC No.62/2026 for the offence punishable u/s 85, 115(2), 352, 351(2), 3(5) of the B.N.S. and order dated 02.04.2026 taking cognizance and issuing summons against accused.

3. According to the applicants, respondent no.2 has filed FIR dated 16.01.2026 after the period of almost 3 years of her grievance. Respondent No.2, in her report has stated that her marriage with Applicant No.1 was performed on 08.09.2021. She has stated that after marriage, she went to reside with her in laws. After marriage, there used to be frequent quarrels between her and the applicants. On account of those quarrels, they used to harass her mentally and physically. Accused persons alleged to have demanded Rs.10,00,000/- for the purpose of construction of marriage hall and on that pretext they used to harass her by abusing and assaulting her. In view of the persistent harassment, she left her matrimonial house on 10.08.2022 and came to reside alongwith her parents at Kalamb. She has further stated in the complaint that on 06.01.2026, her in laws had been to her parents house and informed her parents that if the amount is not paid, they would not allow respondent No.2 to reside with applicant No.1 / Husband. Therefore, respondent No.2 lodged the complaint. On the basis of said complaint, FIR was registered. The investigation was set into motion. After investigation, charge sheet came to be filed.

4. Learned Advocate for the Applicants submits that the allegations, which are lavelled against the Applicants are vague and *omnibus*. Respondent No.2 lodged the complaint after more than 3 years. Moreover, her allegations are not specific and no particular incident of any nature has been mentioned in the report. Therefore, learned Advocate for the applicants submits that the allegations being vague and omnibus, the same does not constitute any offence against the applicants and prayed for allowing the instant application.

5. Per contra, learned APP has strongly opposed the application. He has referred to the specific allegations against the Applicants. He has also taken this Court through certain statements of the witnesses. He, therefore, submits that there are specific allegations against the Applicants and they do not deserve any relief by this Court .

6. The learned Advocate for Respondent No.2 also reiterated the same submissions of the learned APP and strongly opposed the instant application.

7. After hearing the learned Advocates for the respective

parties and on going through the relevant record before this Court, it reveals that Respondent No.2 has lodged report of the incident of the year 2022, after the period of 3 years and kept silence for this long time and lodged the report of the demanding Rs.10,00,000/- virtually after the period of 3 years. The allegations as regards the incident dated 06.01.2026 are general in nature. All the accused persons alleged to have come to her parents house and told them that if the amount as demanded is not paid, they would not allow Respondent No.2 to cohabit alongwith Applicant No.1. The incident as stated above is covered as per the guidelines of the Hon'ble Apex Court in the case of ***State of Haryana and others Vs. Bhajan Lal [1992(1) SCC 335]=(AIR 1992 SC 604).*** Further, relatives of the Applicant/husband have been deliberately implicated in the instant crime. No specific allegations have been lavelled against them. They are only implicated because of their close relation with Applicant No.1/husband.

8. In view of the judgments of the Hon'ble Apex Court in ***Kahkashan Kausar @ Sonam V. V/s. State of Bihar [(2022) 6 SCC 599]*** , ***K. Subba Rao V/s. State of Telangana [(2018) 14 SCC 452]*** *and* ***Geeta Mehrotra Vs.State of Uttar Pradesh [(2012) 10 SCC 741],*** the instant

application is allowed. FIR No.20/2026 registered with Kalamb Police Station, Tal.Kalamb, Dist.Dharashiv dated 16.01.2026, for the offences punishable u/s 115(2), 3(5), 351(2), 352, 85 of B.N.S. and RCC No.62/2026 for the offence punishable u/s 85, 115(2), 352, 351(2), 3(5) of the B.N.S. and order dated 02.04.2026 taking cognizance and issuing summons against accused and the other proceedings arising therefrom, if any, are quashed and set aside.

9. The instant criminal application stands disposed of accordingly.

(SUSHIL M. GHODESWAR, J.)