IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 CRIMINAL APPLICATION NO. 431 OF 2025

AMOL BABASAHEB WAYBHASE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr.S.G.Sonawane, Advocate for the Applicants.
Mr.V.M.Lomte, APP for the Respondent/State.
Mr.S.B.Munde, Advocate for Respondent No.2.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 13th OCTOBER, 2026

PER COURT :

1. The Applicants are praying for quashing and setting aside the FIR registered against the Applicants in Crime No.0005/2025 dated 03.01.2025 registered with Kej Police Station, Tq.Kej, District Beed for the offence punishable u/s 498(A), 323, 504, 506 r/w 34 of the IPC and u/s 4 of the Dowry Prohibition Act.

2. This Court vide order dated 18.02.2025 already permitted the learned Advocate for Applicants to withdraw the application to the extent of Applicant Nos. 1 and 2. Applicant No.3 is father in law and Applicant No.4 is sister in law and Applicant No.5 is the husband of

Applicant No.4. The registration of FIR discloses that marriage of Respondent No.2 had taken place with Applicant No.1 on 18.02.2022. After the marriage, she came to reside at her matrimonial house. It is her allegation that since Feb.2023, her in Laws have not treated her properly. They used to harass her on account of bringing dowry from her parents. Perusal of FIR further discloses that on 25.02.2023 a quarrel took place between Applicant No.2 i.e. mother in law and the informant. After that incident, it appears that the Applicant Nos. 4 and 5 alleged to have reached to the matrimonial house and they had given her threatenings and also demanded the dowry amount. In pursuance to the aforesaid complaint, Crime No.0005/2025 came to be registered by Kaij Police Station.

3. The Investigating Officer, after completing the investigation, has filed charge sheet. The Applicants have approached to this Court by filing the instant application for quashing the aforesaid proceeding on the ground that the allegations against the Applicants are of general in nature, vague and *omnibus.* According to the learned Advocate for the Applicants, the allegations made against the Applicants do not constitute the offence as registered against them at

the behest of Respondent No.2. The learned Advocate for the Applicants, however, submits that aforesaid proceeding against the Applicants is nothing but abuse of process of Law and therefore, he prayed for allowing the instant application to the extent of Applicant Nos. 3 to 5 are concerned. He further submits that Applicant Nos. 4 and 5 are not resident of same matrimonial house where informant wass residing with her husband.

4. The learned Advocate Mr.Munde strongly opposed this application. He submits that the contents of the FIR as well as statement of the witnesses would not attract the offences as registered against the applicants. There is a strong material which goes to infer that the Applicants are liable to be prosecuted before the Trial Court. Therefore, he strongly opposed the instant application and prayed for dismissal of instant matter.

5. The learned APP also re-iterated the said submissions. He also opposed the application strongly.

6. After hearing the learned Advocates for the parties and on

going through the record, I have come to the conclusion that the allegations made against Applicant Nos. 3 to 5 are of general nature. No specific averments have been made against them by Respondent No.2. Moreover, the fact that Applicant Nos. 4 and 5 were not residing in the same house, is an admitted fact as per the available record. In that view of the matter, Applicant Nos. 3 to 5 cannot be made to suffer the agony of the Trial Court when there is no serious incriminating material available against them. Moreover, allowing to continue the prosecution against them would be clear abuse of process of Law.

7. In view of the above, the instant application stands allowed to the extent of Applicant Nos. 3 to 5. FIR in Crime No.0005/2025 dated 03.01.2025 registered with Kaij Police Station, Tq.Kaij, District Beed for the offence punishable u/s 498(A), 323, 504, 506 r/w 34 of the IPC and u/s 4 of the Dowry Prohibition Act, to the extent of Applicant Nos. 3 to 5 are quashed and set aside.

(SUSHIL M. GHODESWAR, J.)