IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 592 OF 2026

1] Mahadeo S/o Savaleram Shinde
(Father-in-law)
2] Godavari W/o Mahadeo Shinde
(Mother-in-law)
3] Vishnu S/o Mahadeo Shinde
(Brother-in-law)
4] Gangaram S/o Savaleram Shinde
(Father-in-law)
5] Balasaheb S/o Gangaram Shinde
(Brother-in-law) ..APPLICANTS
(Orig. Accused)

VERSUS

1] The State of Maharashtra
2] Vandana W/o Mukund Shinde
(Original Informant) ..RESPONDENTS

Mr. P. P. More, Advocate for the Applicants.
Mr. V. M. Lomte, APP for Respondent No.1 State.
Mr. Kailas B. Jadhav, Advocate for Respondent No.2 Informant.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 29th OCTOBER, 2026

PER COURT :

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

2. The applicants are the relatives of Mukund Mahadeo Shinde, the husband of respondent No.2 informant. Applicant Nos.1 and 2 are the parents-in-law and applicant No.3 is the brother-in-law of respondent No.2. Applicant No.4 is the brother of applicant No.1 and applicant No.5 is the son of applicant No.4. The husband is not an applicant before this Court.

3. By this application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicants are challenging FIR No.0600/2025 dated 09.07.2025 registered with the Shevgaon Police Station, Tq. Shevgaon, Dist. Ahilyanagar, at the behest of respondent No.2 for the offences punishable under Sections 498-A, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

4. As per the report lodged by respondent No.2 informant, her marriage with Mukund Shinde took place on 24.05.2020 at Shevgaon. After the marriage, she resided with her husband at Amravati, where he was in service. It is alleged that after about five to six months, the husband insisted that she conceive a child, however, her husband pressurized her to abort the pregnancy. He ill-treated her, as a result of which she started residing at her parental house at Shevgaon, where she delivered a male child on 16.04.2021. After intervention of

relatives, she resumed cohabitation at Vihamandwa, but disputes again arose. Against the applicants, it is alleged that they used to support the husband and demanded Rs.10,50,000/- for purchasing a flat, and that in the year 2022 all the accused assaulted her and drove her out of the matrimonial house. It is further alleged that in December 2023, her husband told her that he did not wish to live with her and went on missing since 12.12.2023. When she alongwith her parents visited the matrimonial house, the applicants abused and threatened them. As such, the aforesaid FIR came to be registered at the behest of respondent No.2 on 09.07.2025.

5. In pursuance of the aforesaid FIR, the investigation was set in motion and after completion of investigation, the charge-sheet was filed. The learned Judicial Magistrate, First Class, Shevgaon, by order dated 12.08.2025 issued process against the accused, and the proceedings bearing R.C.C. No.298/2025 are now going on before the said Court.

6. The learned advocate for the applicants submitted that the entire family of the husband has been roped in, and the allegations against the applicants are vague and general, without any specific date, incident or role. Respondent No.2 resided with her husband at Amravati

and thereafter, for a substantial period, at her parental house. Applicant Nos.4 and 5 are cousin relatives residing separately. The FIR has been lodged after an unexplained delay in respect of the alleged incidents of the years 2020 to 2023. Hence, continuation of the prosecution would amount to an abuse of the process of law.

7. Per contra, the learned APP appearing for the respondent/ State as well as the learned advocate appearing for respondent No.2 informant 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 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.

9. After going through the FIR in question as well as the statements recorded by the Investigating Officer, it is found that the FIR has been lodged as a result of matrimonial differences between respondent No.2 and her husband. The specific allegations of pressure to abort the pregnancy, ill-treatment and threats are against the husband. The FIR itself shows that respondent No.2 resided with her husband at Amravati and thereafter, for a substantial period, at her parental house at Shevgaon. The allegations against the applicants regarding the demand of Rs.10,50,000/-, the assault in the year 2022 and the abuse on a later visit are made against them collectively, without any specific date, incident or overt act attributed to any of them. Moreover, the FIR came to be lodged on 09.07.2025 in respect of

the alleged incidents of the years 2020 to 2023, without any explanation for the delay. Such vague and omnibus 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 applicants are implicated on account of their relationship with the husband of respondent No.2 and the allegations do not disclose their specific involvement. 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:

O R D E R

(a) The Criminal Application is allowed.

(b) FIR No.0600/2025 dated 09.07.2025 registered with the Shevgaon Police Station, Tq. Shevgaon, Dist. Ahilyanagar, at the behest of respondent No.2 and the further proceedings arising therefrom, including the order dated 12.08.2025 issuing process and R.C.C. No.298/2025 pending before the learned Judicial Magistrate, First Class, Shevgaon, are hereby quashed and set aside to the extent of the applicants.

(SUSHIL M. GHODESWAR, J.)