IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

994 CRIMINAL APPLICATION NO. 1204 OF 2026

1. Amol Balu Bramhane
2. Balu Tanku Bramhane
3. Sunanda Balu Bramhane
4. Akash Balu Bramhane
5. Swati Ratnadeep Magar
6. Ratnadeep Anil Magar
7. Sulbha Shriram More
8. Shriram Bhaurao More
9. Shubham Shriram More
10. Sunil Jagannath Agale ….APPLICANTS

VERSUS

1. The State of Maharashtra,
   Thr. Police Inspector,
   Police Station - Nandurbar City,
   District Nandurbar

2. Harshada Amol Bramhane ….RESPONDENTS

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Mr G. D. Jain, Advocate for Applicants
Mr S. K. Shirse, APP for Respondent No.1/State
Mr C. B. Chaudhari, Advocate for Respondent No.2

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 27th OCTOBER, 2026

P. C. :

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

2. At the outset, when this Court has shown disinclination to entertain this application as regards applicant No.1/husband, the learned advocate for the applicants seeks permission to withdraw the application to his extent.

3. Hence, this Criminal Application is dismissed as withdrawn in respect of applicant No.1/ husband.

4. Insofar as other applicants are concerned, they are in-laws and distant relatives of respondent No.2/informant.

5. By this application, the applicants seek quashing and setting aside the FIR bearing C.R. No.0251/2026, dated 19/02/2026, registered with the Police Station, Nandurbar City, Dist. Nandurbar at the behest of respondent No.2/informant, for the offences punishable under Sections 85, 115(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

6. As per the report lodged by respondent No.2/ complainant, her marriage with applicant No.1/husband took place on 05/03/2023. The applicants are the relatives of the said husband. After marriage, the informant shifted to Pune with her husband. It is alleged by informant in the report that, applicant No.2/father-in-law

and applicant No.3/mother-in-law used to visit at Pune and taunt her. They allegedly stated that they were never liked her, but their son married her and that, her parents failed to conduct the marriage with their expectations. It is also alleged that applicant No.3 used to instigate her husband against her, and therefore, her husband used to scold her. It is further alleged that in April, 2023, there was miscarriage of informant by means of tablets forcibly given by applicant No.1, which were sent by applicant No.10/maternal uncle of husband, to whom applicant Nos.1 to 5 were supported. It is further alleged that applicant Nos.7 to 9 also instigate applicant No.3/mother-in-law against her. It is also alleged that the applicants also used to doubt her character and subjected her to continuous mental cruelty. It is also alleged that applicant No.1 demanded Rs.50,00,000/- from her parents for purchasing a plot. It is also alleged that the applicants used to instigate her husband against her and her husband used to beat and abuse her in a drunken condition. With all these allegations, the aforesaid FIR came to be registered at the behest of respondent No.2.

7. In pursuance of the aforesaid FIR, the investigation was set in motion and after completion of investigation, the charge-sheet was filed. Now, the proceedings are going on before the learned Judicial Magistrate, First Class, Nandurbar.

8. The learned Advocate for the applicants submits that the applicant Nos.2 to 10 have been implicated in the crime on account of their relationship with the husband of the informant. They have been falsely implicated in the crime and have no concern with the crime in question. He further submits 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.

9. Per contra, the learned APP appearing for the respondent No.1/ State as well as the learned Advocate appearing for the respondent No.2/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. They then submit that it would be premature to conclude that they are not involved in the crime and 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.

10. 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.

11. 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 the husband and wife and that the relatives of the husband have been

implicated on account of their relationship with him. It is evident that the marriage of informant with applicant No.1 took place on 05/03/2023. It appears that the allegations against the applicant Nos.2 to 10 made in the FIR, 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 applicant Nos.2 to 10. 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 these applicants, so as to attract the provisions of the penal sections invoked against them.

12. In view of the aforesaid discussion, it is found that the applicant Nos.2 to 10 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 to the extent of applicant Nos.2 to 10. Hence, the following order:

ORDER

(a) The Criminal Application is allowed to the extent of applicant Nos.2 to 10 and is dismissed as withdrawn to the extent of applicant No.1/husband.

(b) The FIR bearing C.R. No.0251/2026, dated 19/02/2026, registered with the Police Station, Nandurbar City, Dist. Nandurbar at the behest of respondent No.2/informant, for the offences punishable under Sections 85, 115(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and the further proceedings arising therefrom, are hereby quashed and set aside to the extent of applicant Nos.2 to 10.

[SUSHIL M. GHODESWAR, J.]

sjk