IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1157 OF 2025

1] Abhinav Tejkumar Soni

2] Aarati Sachin Soni

3] Sheetal Tejkumar Soni.

4] Pankaj Rambabu Soni ...Applicants

Versus

1] The State of Maharashtra

2] Monali Navin Soni ...Respondents
(Orig. First Informant)

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Mr. Girish S. Rane, Advocate for the Applicants.
Mr. S. K. Shirse, APP for Respondent No. 1 – State.
Mr. D. D. Pande, Advocate for Respondent No.2.
Ms. Deepali S. Patil, Advocate for Respondent No.2 (Appointed).

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 27 OCTOBER, 2026

PC:

1. By this Criminal application filed under Section 482 of the Code of Criminal Procedure, 1973 the applicants are challenging First Information Report (for short "**F.I.R.**") in C.R. No. 0879/2024 dated 11.12.2024, registered with MIDC Police Station, Jalgaon, District Jalgaon, for the offences punishable under Sections 498-A, 354, 323, 504 and 506 read with Section 34 of the Indian Penal Code (for short

"I.P.C."). The applicants seek quashing of the F.I.R. and of the proceedings arising out of it.

2. After completion of investigation, the charge sheet No.284/2025 was filed on 14.10.2025 and the proceedings are registered as RCC No. 946/2025 before the learned Judicial Magistrate, First Class, Jalgaon wherein, the order of issuance of process has been passed on 27/10/2025. Thus the applicants, by way of amendment to this Criminal Application, also sought to challenge the charge-sheet, the proceedings in RCC No.946/2025 and order of issuance of process dated 27/10/2025.

3. As per the report lodged by Respondent No. 2/ complainant, her marriage with Navin took place on 29/11/2002. The applicants are relatives of the said Navin. Applicant No.1 is the Brother-in-law, applicant No. 2 is the Sister-in-law, applicant No.3 is the Sister-in-law, applicant No. 4 is the maternal Uncle in-law of the Respondent No.2.

4. The informant stated in her report that, after her marriage with Navin, she has cohabited with her in-laws in a joint family. It is alleged that the entire marriage expenses were borne by her father. It is alleged that on the very next day applicant No.2 was married, and on account

of the expenses incurred in that marriage, her in-laws allegedly taunted her for not bringing dowry and for inadequate hospitality. At their instigation, her husband also used to taunting, physically assault and abusing her. Thereafter two sons were bornout of the wedlock. From 2015 onwards, the in-laws harassed her for money for household and business expenses, and her parents paid Rs.3,50,000/- to the husband. On 2018 their house was burnt, applicants demanded Rs.25,00,000/- from her father, taunted and beaten her for nothing had been given at the marriage, and abused her. When she refused to make this demand, she was threatened that she would not be allowed to stay in the matrimonial home, and her husband assaulted her. Her father then paid Rs.10,00,000/- to purchase of a flat and a home loan was also obtained. Even so, husband of the complainant demanded money and applicants instigated her husband and assaulted and abused her. Thereafter husband of complainant went to Bhopal for business and resided there , her father-in-law cast an evil eye on her. On 16/06/2024, while the mother-in-law was in Mumbai, her father-in-law entered her bedroom, caught hold of her from behind and attempted to touch her chest. When she protested, her son and brother-in- law came there and her father–in-law threatened her not to disclose the incident and left. Thereafter she went her parental home. On 18/06/2024, her husband

came to her parental house, assaulted and abused the informant in the presence of her family members. Due to continuous physical and mental harassment and demands of dowery, the informant was compelled to reside with her parents. On the basis of the aforesaid report, the aforesaid FIR to be registered against seven accused persons, including the present applicants.

5. 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 bearing RCC No.946/2025 are going on before the learned Judicial Magistrate, First Class, Jalgaon.

6. The learned advocate for the applicants submitted that the applicants 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. The learned counsel for the applicants further submitted 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.

7. The learned advocated for the applicants submitted that applicant No.2 was married on 30/11/2002, the day after the marriage of complainant and has since resided separately with her husband and in-laws at Indore. Applicant No.1 is unmarried brother-in-law and taking education from 2015 to 2021 at Pune and Mumbai. Thus, major part of the period of allegations, he was away from Amrawati he resided separately. He runs an independent shop and has no connection with the business of husband of complainant. Applicant No.3 was married in 2006 and divorced in 2008. Since about 2011 she has lived at Mumbai. She suffers from serious kidney ailment, underwent a kidney transplant in 2015, and now has to undergo dialysis every alternate day. It is therefore highly improbable that she visited Amrawati and harassed the informant as alleged. Applicant No.4 is the maternal uncle-in-law, residing at Bhopal therefore no concerned to visited Amrawati and harassed the informant.

8. The learned counsel for the applicants submitted that the FIR contains only vague and general allegations against the relatives of the husband, without attributing any specific overt act, date, time, or particular incident to them. As no specific role has been assigned to any of the applicants, the continuation of the proceedings against them

would amount to an abuse of the process of law. Hence, the applicants prayed for quashing of the FIR and the proceedings arising therefrom.

9. Learned Additional Public Prosecutor for the State opposed the application. She submitted that the F.I.R. and the charge sheet disclose harassment, cruelty and demand of money by the accused, that the statements of witnesses recorded during the investigation support the allegations, there are sufficient material is available against the applicants and submitted that the applicants had abetted the crime in question. He, therefore prayed for rejection of the instant application.

10. The learned Advocate for respondent No.2/ informant also strongly opposed the instant application. According to him, sufficient allegations have been made against the applicants and they have played major incriminating role in the crime in question. Their participation would be established at the time of trial. It would be premature to conclude that they are not involved in the crime. They are required to be prosecuted before he trial Court for having committed serious crime against respondent No.2. Hence, the learned counsel for respondent No.2 prayed for rejection of the instant application.

11. 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.

12. 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 took place on 29/11/2002 and out of the said wedlock, complainant have two children. However, the allegations against the applicants 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 applicants. 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 the applicants so as to attract the provisions of the penal sections invoked against them.

13. It is also found that applicant No.2 was married on 30/11/2002, the next day after the marriage of complainant and has since then resided separately with her husband and in-laws at Indore. Applicant No.1 is unmarried brother-in-law and taking education from 2015 to 2021 at Pune and Mumbai. Thus, major part of the period of allegations, he was away from Amrawati he resided separately. He runs

an independent shop and has no connection with the business of husband of complainant. Applicant No.3 was married in 2006 and divorced in 2008. Since about 2011 she has lived at Mumbai pursuing her profession as an actress. She suffers from serious kidney ailment, underwent a kidney transplant in 2015, and now has to undergo dialysis every alternate day. It is therefore highly improbable that she visited Amrawati and harassed the informant as alleged. Applicant No.4 is the maternal uncle-in-law, residing at Bhopal therefore no concerned to visited Amrawati and harassed the informant.

14. 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:

ORDER

(a) The Criminal Application is allowed.

(b) FIR No 0879/2024 dated 11/12/2024 registered with the MIDC Police Station, Jalgaon against the applicants, the charge-

sheet No. 284/2025 dated 14/10/2025 filed pursuant thereto, and the proceedings arising therefrom, including RCC No. 946/2025 pending before the learned Judicial Magistrate First Class, Jalgaon are quashed and set aside insofar as the present applicants are concerned.

(c) The order of issuance of process dated 27/10/2025 passed by the learned Judicial Magistrate First Class, Jalgaon, issuing process against the applicants, is quashed and set aside insofar as the present applicants are concerned.

(d) Ms. Deepali S. Patil, leaned counsel for respondent No.2 is appointed by this Court. Therefore, her fees be quantified and paid to her as per rules, by the High Court Legal Aid Services Sub-Committee, Aurangabad Bench.

(SUSHIL M. GHODESWAR, J.)