IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 444 OF 2025

1. MAHESH RAJARAM SHINDE
2. Umesh Rajaram Shinde
3. Kamini Mahesh Shinde
4. Kirti Umesh Shinde
5. Mankarnika Rajaram Shinde

VERSUS

SEETA @ KANCHAN NITESH SHINDE

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Shri M.D. Shinde h/f Shri Hajare Abhishek Madhukar, Advocate for the Petitioners.
Shri D.M. Pingale, Advocate for the Respondent.

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 03 November 2026

P. C. :-

1. Heard the learned advocates for the respective parties.

2. The petitioners, through the instant writ petition, are seeking quashment of the proceedings of PWDVA Application No.33/2024 pending before the learned Judicial Magistrate First Class, Ghansawangi, District Jalna. The said proceedings are lodged by the respondent under Section 12 of the Protection of

Women from Domestic Violence Act, 2005.

3. According to the petitioners, they are in-laws of the respondent. She has lodged the aforesaid proceedings against all relatives of her husband (Nitesh Rajaram Shinde). It is pointed out that on similar set of facts, earlier she had also lodged the FIR bearing Crime No.297/2024 with the Ghansawangi Police Station on 14.07.2024 for the offences punishable under Sections 498-A, 323, 506 r/w 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, against her husband and the present petitioners. After filing of the charge-sheet, the said FIR was culminated into the proceedings bearing RCC No.84/2024, however, the learned Judicial Magistrate First Class Ghansawangi, vide order dated 28.05.2026, was pleased to acquit all the accused persons in the said proceedings arising out of the said FIR. In such circumstances, the instant proceedings are not at all maintainable against the petitioners, who are not sharing any domestic relationship with the respondent. The learned advocate for the petitioners, therefore, prayed for allowing the petition.

4. On the other hand, the learned advocate for the

respondent opposed the petition stating that the petitioners are necessary parties to the proceedings initiated under the Act of 2005. The learned advocate, therefore, prayed for rejection of the instant petition.

5. After hearing the learned advocates for the parties and going through the material placed on record, it is evident that the proceedings have been filed by the respondent against the petitioners, who are relatives of her husband. All reliefs which are sought in the said proceedings are against the husband of the respondent. So also, the learned JMFC has acquitted the accused persons in the earlier FIR lodged by the respondent making similar allegations.

6. In view of the above, the Writ Petition is allowed. The proceedings of PWDVA Application No.33/2024 pending before the learned Judicial Magistrate First Class, Ghansawangi, District Jalna, are quashed and set aside to the extent of the present petitioners.

kps (SUSHIL M. GHODESWAR, J.)