IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 CRIMINAL APPLICATION NO. 2016 OF 2026

Abhilash Bhimrao Dupargude And Others
VERSUS
The State Of Maharashtra And Another
.....
Mr. A. P. Bhandari, Advocate for Applicant.
Mr. S. K. Shirse, APP for Respondent – State.
Mr. R. R. Dhongade, Advocate for Respondent Nos.2.
.....

CORAM : SUSHIL M. GHODESWAR, J.

DATE : 28 OCTOBER, 2026

PC:

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 the 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 Hence, this Criminal Application is dismissed as withdrawn in respect of applicant No.1/ husband.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 applicants Nos.2 to 7 are concerned, they are in-laws of respondent No.2/informant.

5. The applicants are challenging FIR No.174 of 2026, dated 20 March 2026, registered with the Upnagar Police Station, Nandurbar, at the behest

of respondent No.2-Karina Abhilash Dupargude, for the offences punishable under Sections 85, 115(2), 351(1), 352(2), 352, 3(5) of Bhartiya Nyaya Sanhita, 2023.

6. As per the report lodged by respondent No.2/complainant, her marriage with applicant No.1/husband took place on 6 June 2025. The applicants are relatives of the said husband. Applicant No.1-husband, Applicant No.2-Mother-in-law, Applicant No.3-Father-in-law, Applicant No.4-Sister-in-law, Applicant No.5-Spouse of Applicant No.4, Applicant No.6-Sister-in-law and Applicant No.7-Spouse of Applicant No.6. After her marriage, the complainant started cohabiting with applicant No.1–husband at Pune in a joint family along with parents-in-law and other relatives. That within one month of the marriage, allegedly accused No.1 did not establish marital relations with her and upon being questioned, allegedly reacted angrily. However, applicant No.2-mother-in-law used to allegedly insult her on trivial issues, including her cooking, and suggested that she should undergo medical examination. Her allegation is that the applicants were insisting her to undergo medical examination and further asked to show the medical reports. However, the husband and his relatives subjected complainant to mental and physical cruelty and constrained to leave the matrimonial home. The Applicants submits that, prior to registration of the impugned FIR, the complainant had lodged a complaint

dated 30.12.2025 before the Women Cell / Police Authorities at Nandurbar. On perusal of the said complaint would reveal that the allegations therein are materially different, vague in nature and do not contain several serious allegations which have subsequently been introduced in the impugned FIR. It is further submitted that Applicant No. 3, 5, and 7 were not even implicated in the said complaint, and have been subsequently roped in for the first time in the impugned FIR without any specific role attributed to them. This clearly demonstrates material improvements and afterthought on the part of the complainant As such, the aforesaid FIR came to be registered at the behalf 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 bearing RCC No.248 of 2026 are going on before the learned Judicial Magistrate, First Class, Nandurbar.

8. 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.

9. Per contra, the learned APP appearing for the respondent/ State as well as the learned advocate appearing for the respondent/ 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. It would be premature to conclude that they are not involved in the crime. 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 took place on 6 June 2025. 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.

12. 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 to the extent of applicant Nos.2 to 7 and is dismissed as withdrawn to the extent of husband applicant No.1.

(b) FIR No.174 of 2026 dated 20 March 2026 registered with the Upnagar Police Station, Nandurbar at the behest of respondent No.2 and the further proceedings arising therefrom, are hereby quashed and set aside to the extent of the present applicant Nos.2 to 7.

(c) Mr. Dhongade, learned advocate for respondent No.2 is appointed by this Court. Therefore, his fees be quantified and paid to him as per rules, by the High Court Legal Aid Services Sub Committee, Aurangabad Bench.

(SUSHIL M. GHODESWAR, J.)

Kiran Kawre