IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

945 CRIMINAL APPLICATION NO. 1878 OF 2025

SANJIVANI CHANDRAKANT RATHOD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Ms.Aarti T.Gadge h/f Mr.D.M.Shinde, Advocate for the Applicants.
Mr.C.V.Bhadane, APP for the Respondent/State.
Mr.V.D.Jadhav, Advocate for Respondent No.2 (Appointed)

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 30th OCTOBER, 2026

PER COURT :

1. Heard the learned Advocates for the respective parties.

2. The applicants are challenging the FIR No.122/2022 dated 22.12.2022 registered with Tamsa Police Station, Dist.Nanded for the offences punishable u/s 498-A, 417, 323, 504, 506 r/w 34 of the IPC, and charge sheet No.9/2023, dated 02.11.2023 for the offence punishable u/s 498-A, 417, 323, 504, 506 r/w 34 of the IPC, RCC No.162/2023 pending before the learned J.M.F.C. Hadgaon, Dist.Nanded and the order dated 04.11.2023 passed by the learned J.M.F.C.Hadgaon in RCC No.162/2023.

3. Learned Advocate for the applicants submits that Applicant No.1 is sister in law of the informant and applicant No.2 is the husband of applicant No.1. The applicants are staying at Gulbarga, Karnataka State in view of the employment of applicant No.2. Since they are staying at Gulbarga since 2014 and as such they are at all not connected with the crime as alleged by Respondent No.2. Respondent No.2 has registered the crime on 11.12.2022 stating therein that her marriage has taken place with Avinash on 31.05.2021 and the accused persons including the present applicants had been to her matrimonial house, where she was treated well for some days. Thereafter, her husband, parents in law and other relatives including the present applicants allegedly started harassing her so as to force her to bring Rs.10,00,000/- from her parents. He has further stated that vide order dated 04.07.2024 in Cri.Appl.No.597/2023, the application was allowed to the extent of accused Ashwini and Debjit Chatterjee.

4. After perusing the averments in the FIR, it reveals that though the name of applicant Nos. 1 is in the FIR, it appears that she being a married sister in law and applicant no.2 being her husband, has permanent place of residence at Gulbarga. However, no specific

overtact has been attributed to the sister in law and her husband. Though the learned APP and learned Advocate for Respondent No.2 have raised strong objection for allowing this application, I find that the allegations lavelled in the FIR against the present applicants are general, vague and omnibus. Based on such material, asking the applicants to face the criminal proceedings would be an abuse of process of Law.

5. In view of the above, the instant application is allowed in the following terms :-

[a] FIR No.122/2022 dated 22.12.2022 registered with Tamsa Police Station, Dist.Nanded for the offences punishable u/s 498-A, 417, 323, 504, 506 r/w 34 of the IPC, and charge sheet No.9/2023, dated 02.11.2023 for the offence punishable u/s 498-A, 417, 323, 504, 506 r/w 34 of the IPC, RCC No.162/2023 pending before the learned J.M.F.C. Hadgaon, Dist.Nanded and the order dated 04.11.2023 passed by the learned J.M.F.C.Hadgaon in RCC No.162/2023 and the proceedings arising therefrom, if any, are quashed and set aside.

[b] Fees payable to the learned appointed Advocate Mr.Jadhav be quantified and paid as per rules by the High Court Legal Aid Sub

Committee, Aurangabad.

6. Criminal application stands disposed of accordingly.

(SUSHIL M. GHODESWAR, J.)