IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 CRIMINAL APPLICATION NO. 1985 OF 2025

1. Ashok Chimaji Badhe (Husband)
2. Chimaji Nabaji Badhe (father in law)
3. Mangal Chimaji Badhe (mother in law)
4. Arjun Chimaji Badhe (brother in law)
5. Balasaheb @ Babasaheb Nabaji Badhe (cousin brother in law)
6. Sahebrao Mamtaji Nabaji Badhe (Cousin father in law)
7. Sangita Sahebrao @ Mamtaji Badhe (Cousin mother in law)
8. Appasaheb @ Machindra Nabaji Badhe (Cousin father in law)
9. Asha Appasaheb @ Machindra Badhe (Cousin mother in law)
10. Kalyan Nabaji Badhe (Cousin father in law)
11. Savita Kalyan Badhe (Cousin mother in law)
12. Jalindar Nabaji Badhe (Cousin father in law)
13. Yogita Jalindar Badhe (Cousin mother in law)
14. Mohanbai Nabaji Badhe (Grand mother in law)
15. Megha Pandit @ Pandharinath Devkar (Cousin mother in law)
16. Meena Vasant More (Cousin mother in law)

Versus

1. State of Maharashtra
2. Shubhangi Ashok Badhe (Complainant)

Mr.K.N.Bhosale h/f Mr.A.T.Kanawade, Advocate for the Applicants.
Mr.A.A.A.Khan, APP for the Respondent/State.
Ms.S.R.Khan, Advocate for Respondent No.2 (Appointed)

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 30th OCTOBER, 2026

PER COURT :

1. Heard the learned advocates appearing for the respective

parties. Though Respondent No.2 was served, nobody is appearing on behalf of her. Hence, Ms.Khan is hereby appointed to represent Respondent No.2. Learned Advocate for the Applicants to supply copy of the application and other necessary documents to the learned appointed Advocate. Ms.Khan submits that she is ready with the matter. In view of the above, matter is heard finally.

2. The applicants are challenging FIR No.149/2025 dated 21.03.2025 registered with Shrirampur Taluka Police Station, Dist.Ahilyanagar at the behest of respondent No.2/complainant, for the offences punishable under Sections 498(A), 323, 504 and 506 r/w 34 of the IPC, consequential charge sheet and the order of cognizance dated 11.06.2025 thereby issuing summons against them by the learned Judicial Magistrate First Class, Shrirampur.

3. Occurrence of the offence is from 01.01.2023 to 01.06.2024 and the matter is reported to the Police on 21.03.2025. Before proceeding with the matter, learned Advocate for the Applicants sought permission of this Court to withdraw the application in respect of Applicant No.2/ husband of Respondent No.2. In that view of the matter, application stands dismissed as withdrawn against Applicant No.1.

4. With the assistance of the learned Advocates for the parties, I have perused the contents of the FIR as well as complete material of the charge sheet. FIR states that marriage of Respondent No.2 is performed with Applicant No.1. on 31.01.2020. It is stated that all the accused persons were residing at the matrimonial house and for the initial period of 3 years, all have treated her properly. Since, she has not given birth to any child, her in Laws started taunting her and were asking her to leave the matrimonial house. They all have allegedly demanded Rs.10,00,000/- for the construction of their house.

5. In view of the aforesaid illtreatment, she had come to her parents' house on 01.06.2024. In the meantime, her parents tried to give understanding to her in laws. Thereafter she again went to reside with her in laws. However, they have not accepted her anymore and therefore she has lodged the FIR on 21.03.2025.

6. After going through the aforesaid allegations, it is clear that all the allegations are general in nature. Except taunting her, no specific overt act has been stated against any of the Applicants. The allegations are found to be vague and omnibus. Applicants have been implicated merely on the ground that they are related to Applicant No.1/husband of the complainant. Neither the contents of the report dated

31.03.2025 or other material appearing on the charge sheet finds any specific allegations against any of the Applicants. In that view of the matter, this case is totally by the Apex Court judgments in the case of ***Kahkashan Kausar @ Sonam V. V/s. State of Bihar [(2022) 6 SCC 599]*** , ***K. Subba Rao V/s. State of Telangana [(2018) 14 SCC 452]*** *and* ***Geeta Mehrotra Vs.State of Uttar Pradesh [(2012) 10 SCC 741]***

7. In view of the above, in the instant application stands allowed, as regards Applicant Nos. 2 to 16 are concerned. However, the instant Application is dismissed as withdrawn against Applicant No.1. Hence, following order is passed :-

O R D E R

(a) The Criminal Application is allowed to the extent of applicant Nos.2 to 16 dismissed as withdrawn to the extent of husband / Applicant No.1.

(b) FIR No.149/2025 dated 21.03.2025 registered with Shrirampur Taluka Police Station, Dist.Ahilyanagar at the behest of respondent No.2/complainant, for the offences punishable under Sections 498(A), 323, 504 and 506 r/w 34 of the IPC, consequential charge sheet and the order of cognizance dated 11.06.2025 thereby issuing summons against them by the learned Judicial Magistrate First Class, Shrirampur.

and the further proceedings arising therefrom, are hereby quashed and set aside to the extent of the present applicant Nos.2 to 16.

(c) Ms.S.R.Khan, the learned advocate 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.

(d) Fees payable to the learned appointed Advocate Ms.Khan be quantified and paid as per rules by the High Court Legal Aid Sub Committee, Aurangabad.

(SUSHIL M. GHODESWAR, J.)