IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1013 CRIMINAL APPLICATION NO. 2143 OF 2025

1] Anuradha w/o Ganesh Rupesh Mohite
(Sister-in-law)

2] Ganesh Rupesh Tulshiram Mohite
(Brother-in-law)

3] Dattatraya Umaji Jadhav
(father in law)
(Deleted as per order dated 18.06.2026)

4] Kalawati Dattatraya Jadhav
(Mother-in-law) ..APPLICANTS

VERSUS

1] The State of Maharashtra

2] Priyanka Amol Jadhav ..RESPONDENTS

Mr. Mohit R. Deshmukh, Advocate for the Applicants.
Mr. M. A. Aher, APP for Respondent No.1/ State.
Mr. G. K. Muneshwar, Advocate for Respondent No.2/ Complainant.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 22nd OCTOBER, 2026

PER COURT :

1. Heard the learned advocates appearing for the respective

parties.

2. During the pendency of this application, applicant No.3/ father-in-law died, and by order dated 18.06.2026 he came to be deleted. Hence, the application is considered in respect of applicant Nos.1, 2 and 4 only.

3. Applicant No.1 is the sister-in-law, applicant No.2 is the husband of applicant No.1, and applicant No.4 is the mother-in-law of respondent No.2/ informant.

4. By this application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicants are challenging FIR No.0298/2024 dated 03.10.2024 registered with Kinwat Police Station, Tq. Kinwat, Dist. Nanded, at the behest of respondent No.2 (Priyanka Amol Jadhav), for the offences punishable under Sections 115(2), 351(2) and 85 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

5. As per the report lodged by respondent No.2/ complainant, her marriage with Amol Jadhav took place on 04.02.2018. The applicants are relatives of the said husband. It is alleged that the husband is a habitual drinker, which fact was suppressed at the time of marriage. The in-laws demanded Rs.20,00,000/- for the employment of

her husband, and as her parents were unable to arrange the said amount, she and her husband were driven out of the house. It is further alleged that her husband physically tortured her. Respondent No.2 left the company of her husband on 23.03.2023. As such, the aforesaid FIR came to be registered at the behest of respondent No.2 on 03.10.2024.

6. In pursuance of the aforesaid FIR, the investigation was set in motion and after completion of investigation, charge-sheet No.18/2025 was filed on 11.03.2025. Now, the proceedings arising therefrom are going on before the learned Judicial Magistrate, First Class, Kinwat.

7. The learned advocate for the applicants submitted that the applicants have been implicated in the crime only on account of their relationship with the husband of the informant. Applicant Nos.1 and 2 were married on 15.02.2009, about nine years prior to the marriage of respondent No.2, and since 2011 have been residing at Gadchiroli District, where applicant No.2 is serving as a teacher. Applicant No.4 is an aged person, and the FIR itself shows that respondent No.2 and her husband were residing separately from her. He further submitted that the FIR was lodged after about one year and seven months of respondent No.2 leaving the matrimonial home, and the continuation

of the criminal prosecution against the applicants would amount to an abuse of the process of law.

8. Per contra, the learned APP appearing for the respondent/ State as well as the learned advocate appearing for respondent No.2/ informant strongly opposed the instant application. They submitted that sufficient material is available in the charge-sheet against the applicants and their role is a matter to be decided at the time of trial. Hence, they prayed for rejection of the instant application.

9. 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.

10. 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. The specific allegations of drinking habit and physical torture are against the husband alone. The allegation of demand of Rs.20,00,000/- is made against the in-laws in general terms, and no specific incident, date or overt act has been attributed to any of the applicants. Applicant Nos.1 and 2 were married long before the marriage of respondent No.2 and have been residing separately at Gadchiroli District, while the FIR itself shows that respondent No.2 and her husband were residing separately from applicant No.4. Such bald allegations, in the absence of specific allegations disclosing their individual involvement, are insufficient to justify the continuation of criminal prosecution against them.

11. 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 Law 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:

O R D E R

(a) The Criminal Application is allowed to the extent of applicant Nos.1, 2 and 4.

(b) FIR No.0298/2024 dated 03.10.2024 registered with Kinwat Police Station, Tq. Kinwat, Dist. Nanded, at the behest of respondent No.2 , charge-sheet No.18/2025, and the further proceedings arising therefrom pending before the learned Judicial Magistrate, First Class, Kinwat, are hereby quashed and set aside to the extent of the present applicant Nos.1, 2 and 4.

(SUSHIL M. GHODESWAR, J.)