IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2423 OF 2026

1] Vithabai Gangaram Jadhav (Mother-in-law)
2] Gangaram Gunaji Jadhav (Father-in-law)
3] Prabhakar Gangaram Jadhav (Brother-in-law)
4] Vidhyabai Prabhakar Jadhav (Wife of brother-in-law)
..APPLICANTS

VERSUS

1] The State of Maharashtra
2] Priyanka Umesh Jadhav
..RESPONDENTS

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Shri Shankar B. Kendre, Advocate for the applicants.
Shri D.B. Bhange, APP for respondent No.1/ State.
Shri Shrikant B. Madde, Advocate for respondent No.2.

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CORAM : SUSHIL M. GHODESWAR, J.
DATE : 27 October 2026

Per Court :-

1. By this Criminal Application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicants are challenging the First Information Report in C.R. No. 0562/2025 dated 12/08/2025, registered with the Ahmedpur Police Station, District Latur, for the offences punishable under Sections 85, 115(2), 352, 351(2) and 351(3) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023. The applicants seek

quashing of the F.I.R. and the proceedings arising out of it.

2. After completion of investigation, the charge-sheet was filed on 28/10/2025 and the proceedings are registered as RCC No. 416/2025 before the learned Judicial Magistrate First Class, Ahmedpur, wherein the order of issuance of process was passed on 05/11/2025. The applicants also challenge the charge-sheet, the proceedings in RCC No. 416/2025 and the order of issuance of process dated 05/11/2025.

3. As per the report lodged by respondent No. 2/ complainant, her marriage with Umesh Jadhav (son of applicant Nos.1 and 2) took place on 28/05/2015. Applicant Nos.1 and 2 are her mother-in-law and father-in-law, applicant No.3 is her brother-in-law and applicant No.4 is the wife of applicant No. 3. It is alleged that respondent No.2 was treated well for about three years after the marriage and two daughters were born of the wedlock. Thereafter, the applicants along with her husband allegedly taunted her for giving birth to girl children, abused her, harassed her physically and mentally and threatened to kill her. It is further alleged that her husband had taken loan of Rs.1,60,000/- from HDFC Bank and further had to pay

Rs.1,20,000/- towards credit card account. When the bank employees came to the house, her husband demanded that she should bring the amount from her father and on that count, he beaten her and left her at her parental house, where she has since been residing. In August 2024, her father and some respected persons of the village went to the applicants' house and requested them to take her back, but the applicants told them that they would seek divorce. It is also alleged that the applicants did not attend the proceedings before the Bharosa Cell, Nanded. On the basis of this report, the aforesaid F.I.R. came to be registered against the applicants.

4. The learned advocate for the applicants submitted that the applicants have been falsely implicated only on account of their relationship with the husband of respondent No.2. Respondent No.2 has been residing at her parental house since December 2021, whereas the period of the alleged incidents is shown as 12/08/2024 to 12/08/2025, and the F.I.R. was lodged about one year after the last alleged incident of August 2024 without any explanation for the delay. Applicant Nos.1 and 2 are aged persons residing at Rangareddy, Hyderabad. Applicant No.2

has been working in Shri Pawan Dal Mill for about 30 years, and therefore, they did not share house with the couple. Applicant Nos.3 and 4 are husband and wife having two children and reside separately at Bilaspur, Chhattisgarh, where applicant No.3 is serving in the CRPF. He further submitted that the allegations are omnibus, no overt act is attributed to any of the applicants, and the learned Magistrate issued process without recording any reasons. Hence, he prayed for quashing of the F.I.R. and the proceedings arising therefrom.

5. *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.

6. At this stage, it would be apposite to refer to the judgments of the Hon'ble Supreme Court. In ***State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335***, the Hon'ble Supreme Court 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 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, do not justify the continuation of criminal proceedings against them. The allegations against the applicants need to be examined in the light of these principles.

7. After going through the F.I.R. and the material in the charge-sheet, it is found that the F.I.R. arises out of matrimonial differences between respondent No.2 and her husband, and that the applicants have been implicated on account of their

relationship with the husband. The only specific incident narrated, namely, the demand to bring the loan amount from her father, the assault and leaving her at the parental house, is attributed to the husband. The allegations against the applicants of taunting her for the birth of girl children, abuse and threats are general and omnibus, and no date, incident or particular overt act is attributed to any of them. The alleged refusal to take respondent No.2 back in August 2024 and the non- appearance before the Bharosa Cell, even if accepted as they stand, do not make out the offences invoked against the applicants.

8. It is further found that applicant Nos.1 and 2 reside at Rangareddy, Hyderabad, where applicant No.2 has been working for about 30 years. Applicant Nos.3 and 4 reside separately at Bilaspur, Chhattisgarh, where applicant No.3 is serving in the CRPF. Respondent No.2 has, on her own showing, been residing at her parental house since she was left there by her husband. In these circumstances, it is highly improbable that the applicants harassed her during the period of the alleged incidents. Moreover, the F.I.R. was lodged about a year after the last alleged incident of August 2024, and no explanation for this

delay is forthcoming.

9. In view of the aforesaid discussion, it is found that the applicants have been implicated on account of their relationship with the husband of respondent No.2 and the allegations do not disclose their specific involvement in the alleged offences. Therefore, in order to prevent an abuse of the process of the Court and to secure the ends of justice, the 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.

(b) The F.I.R. in C.R. No. 0562/2025 dated 12/08/2025 registered with Ahmedpur Police Station, District Latur, against the applicants, the charge-sheet dated 28/10/2025 filed pursuant thereto and the proceedings arising therefrom, including RCC No.416/2025 pending before the learned Judicial Magistrate First Class, Ahmedpur and the order of issuance of process dated 05.11.2025, are quashed and set aside.

kps (SUSHIL M. GHODESWAR, J.)