IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2555 OF 2026

1. Pradip Mahadev Bhalerao (husband),
2. Mahadev Parasram Bhalerao (father in law),
3. Rajeshri Mahadev Bhalerao (mother in law),
4. Ashwini Nitin Ujgare (sister in law),
5. Reshma Amol Chaudhari (sister in law),
6. Rama Vivekanand Gaikwad (sister in law)

and

7. Karishma Prakash Waghmare (sister in law)

VERSUS

The State of Maharashtra
and
Punam Pradip Bhalerao (Complainant/Informant)

…

Shri Angad L. Kanade, Advocate for the applicants.
Shri C.V. Bhadane, APP for respondent No.1/ State.
Shri Ashish S. Hazari h/f Shri Amol B. Chalak, advocate for respondent No.2/ complainant.

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 26th October 2026

Per Court :-

1. By this Criminal Application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicants are challenging FIR No.0107/2026 dated 17.03.2026 registered at the behest of respondent No.2/ Punam Bhalerao with Neknur Police Station, Tq. & Dist. Beed, for the offences punishable under Sections 85, 352, 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. As per the report lodged by respondent No.2/ complainant, her marriage with applicant No.1 took place on 18.05.2020. Applicant No.1 is the husband of respondent No.2/ informant, applicant No.2 is the father-in-law, applicant No.3 is the mother-in-law and applicant Nos.4 to 7 are the married sisters of the husband of the informant.

3. The informant stated in her report that her parents had given three tolas of gold and household articles in her marriage. After marriage, she went to her matrimonial house with her husband and parents-in-law at Kumbhari and was treated well for two years. Thereafter, the husband and his parents used to taunt and abuse her by saying that she did not know cooking and did not know how to behave and used to starve her and used to stop her from going to her paternal house. When she narrated this incident to her mother and brother, they told her that the behaviour of her husband and his parents would change and that she should continue to reside in the matrimonial house, but their behaviour never changed.

4. She further stated that the husband and his parents demanded Rs.2,00,000/- from her family to buy an autorickshaw and, for that purpose, used to keep her outside the house, starve and assault her and subject her to physical and mental harassment. In the year 2025, the sisters-in-law came to the matrimonial house for Diwali and they also demanded Rs.2,00,000/- to purchase an autorickshaw. When she told them that her mother and brother did not have money, and abused her and drove her out of the house. On 25.11.2025 at about 10.00 a.m., her husband assaulted her with fist and kick blows and his parents asked her to bring money from her

mother and brother and drove her out of the matrimonial house. On the basis of the aforesaid report, the aforesaid FIR came to be registered on 17.03.2026 against the present applicants.

5. The learned advocate for the applicants submitted that the applicants have been falsely implicated in the crime. According to him, as per the averments in the FIR, the informant was driven out of the matrimonial house on 25.11.2025, but the FIR was registered on 17.03.2026, i.e., after a delay of almost four months, and no plausible explanation has been given for the delay, which creates doubt regarding the genuineness of the FIR. He submitted that the allegations in the FIR are common and general in nature and no specific allegations are made against any of the applicants and, therefore, prima facie case is not made out against them. He further submitted that the continuation of the prosecution in the Trial Court would amount to an abuse of the process of law and will cause grave injustice and harassment to the applicants.

6. It is further submitted by the learned advocate for the applicants that applicant Nos.4 to 7 are the married sisters of applicant No.1, i.e., the husband of the informant, and they reside at their respective places with their husbands and children. They never cohabited with the informant and their names have been included in the FIR only to create pressure on applicant Nos.1 to 3 and to harass them. Hence, the applicants prayed for quashing of the FIR.

7. *Per contra*, the learned APP opposed the instant application. He submitted that the FIR discloses specific allegations of harassment, assault and demand of money for purchasing an autorickshaw against the husband and his family members,

including the incident dated 25.11.2025. According to him, the informant was hopeful that the behaviour of the applicants would improve and, therefore, the delay in lodging the FIR does not affect the case. He submitted that the investigation is at an initial stage and the allegations discloses commission of cognizable offences. He, therefore, prayed for rejection of the instant application.

8. Learned counsel for respondent No.2/ informant also opposed the instant application. According to him, the allegations in the FIR clearly reveals cruelty and demand of money against the applicants and the sisters-in-law also joined in the demand and ill-treatment when they visited their parents' house. Hence, the learned counsel for respondent No.2 prayed for rejection of the instant application.

9. After going through the FIR in question, it is found that the applicants have been implicated as accused on account of their relationship with the husband of respondent No.2. The allegations against them are found to be vague and general in nature. The FIR contains sweeping allegations such as "all accused demanded money" and "all accused harassed", without identifying what exactly each of the applicants did, and no specific incident, date or event has been stated in the FIR so as to attribute any of the specific overt act to them. Such bald allegations, in the absence of specific allegations disclosing their individual involvement in the crime, are insufficient to justify the continuation of the investigation against them.

10. The Hon'ble Supreme Court in ***State of Haryana v. Bhajan Lal***, **1992 Supp (1) SCC 335,** has laid down illustrative categories of cases in which the High Court may exercise its

inherent jurisdiction to quash criminal proceedings to prevent abuse of the process of the Court or otherwise to secure the ends of justice, including cases where the allegations, even if taken at their face value, do not disclose the commission of any offence or where the proceedings are manifestly attended with mala fide and have been maliciously instituted with an ulterior motive.

11. The Hon'ble Supreme Court, in the cases of ***Geeta Mehrotra v. State of Uttar Pradesh*, (2012) 10 SCC 741**, and ***Kahkashan Kausar v. State of Bihar*, (2022) 6 SCC 599**, observed that, in matrimonial disputes, there is a tendency to implicate the relatives of the husband without specific allegations about disclosing their involvement in the alleged offences, and that general and omnibus allegations against relatives are not sustainable. The Courts are, therefore, required to carefully scrutinize such allegations so as to protect innocent relatives from false implication.

12. Applying these principles, as regards applicant Nos.4 to 7, they are the married sisters of the husband who reside separately with their families at different places. No specific role is attributed to any of them and their implication appears to be only by way of casual inclusion of their names. The FIR is lodged after a delay of nearly four months from the last alleged incident dated 25.11.2025, without any plausible explanation and without any contemporaneous complaint. For the offences under Sections 352 and 351(2) of B.N.S., no specific act or words are attributed to any particular applicant, and the ingredients of Section 85 of B.N.S. are not made out against the applicants from the vague and omnibus allegations in the FIR.

13. In view of the aforesaid discussion, it is found that the allegations against the applicants are general in nature and that no specific overt act has been attributed to them. The applicants appear to have been implicated on account of their relationship with the husband of respondent No.2. Therefore, in order to prevent the 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.

(b) FIR No.0107/2026 dated 17.03.2026 registered with Neknur Police Station, Tq. & Dist. Beed, for the offences punishable under Sections 85, 352, 351(2) read with Section 3(5) of B.N.S., 2023, is quashed and set aside insofar as the present applicants are concerned.

(SUSHIL M. GHODESWAR, J.)