IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1035 OF 2025

NITIN VIJAY MEDHE, husband,
VIJAY RAGHUNATH MEDHE, father-in-law,
CHAYA VIJAY MEDHE, mother-in-law,
PRAMOD HARIDAS KHAIRE, husband of sister-in-law,
VAISHALI PRAMOD KHAIRE, sister-in-law,
PRIYA PRASHANT MEDHE, wife of brother-in-law,
PRASHANT VIJAY MEDHE, brother-in-law,
SACHIN VIJAY MEDHE, brother-in-law.

VERSUS

THE SATE OF MAHARASHTRA
AND
NEHA NITIN MEDHE

...

Shri Shermale K. N., Advocate for the Petitioners.
Shri C.V. Bhadane, APP for Respondent No.1/ State.
Ms. Vanita H. Sangole, Advocate for Respondent No.2 (appointed).

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 23 October 2026

P. C. :-

1. Heard the learned advocates appearing for the respective parties.

2. At the outset, when this Court has shown disinclination to entertain this petition as regards the husband, the

learned advocate for the petitioners seeks permission to withdraw the petition to his extent.

3. Hence, this Criminal Writ Petition is dismissed as withdrawn in respect of petitioner No.1/ husband.

4. Insofar as other petitioners are concerned, they are in-laws of respondent No.2/ informant as narrated in cause title of this order.

5. The petitioners are challenging FIR No.0655/2024 dated 19.09.2024 registered with the MIDC Police Station, Jalgaon, at the behest of respondent No.2, for the offences punishable under Sections 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code.

6. As per the report lodged by respondent No.2/ complainant, her marriage with petitioner No.1/husband took place on 21.04.2019. The petitioners are relatives of the said husband and some of them are residing in same house and some are in adjacent house. After her marriage, initially respondent No.2/ wife was treated well and out of the said wedlock, a girl child is born, who was 04 years old at the time of FIR. However,

the husband and his relatives used to physically assault and abuse her on account of petty issues. The husband subjected her to continuous mental cruelty since she is from poor family. The petitioners also asked respondent No.2/ informant to bring Rs.5 lakhs from her parents for the purpose of her appointment as teacher. The petitioners, however, used to support her husband and instigate him so that he should harass respondent No.2. Though there was attempt of conciliation at the Women Grievance Redressal Cell, however, same was not fruitful. As such, the aforesaid FIR came to be registered at the behalf of respondent No.2.

7. In pursuance of the aforesaid FIR, the investigation was set in motion and after completion of investigation, the charge-sheet was filed. Now, the proceedings bearing RCC No.68/2025 are going on before the learned Judicial Magistrate, First Class, Jalgaon.

8. The learned advocate for the petitioners submitted that the petitioners have been implicated in the crime on account of their relationship with the husband of the informant. They have been falsely implicated in the crime and have no concern

with the crime in question. The learned counsel for the petitioners further submitted that the continuation of the criminal prosecution against them would amount to an abuse of the process of law and, therefore, they have approached this Court seeking quashing of the FIR in question.

9. *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 petition. They submitted that sufficient material is available against the petitioners. According to them, sufficient allegations have been made against the petitioners 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 petition.

10. 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 petitioners, therefore, need to be examined in the light of the aforesaid principles laid down by the Hon'ble Supreme Court.

11. 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. It is evident that the marriage took place

on 21.04.2019 and out of the said wedlock, the couple has a child, who was 4 years old at the time of lodging of FIR. However, the allegations against the petitioners are found to be vague and general in nature. No specific incident, date or event has been stated in the FIR so as to attribute any specific overt act to the petitioners. The FIR contains only vague and omnibus allegations against them. Therefore, such bald allegations, in the absence of specific allegations disclosing their individual involvement in the crime, are insufficient to justify the continuation of criminal prosecution against them. Neither the contents of the FIR nor the statements recorded by the Investigating Officer disclose any specific overt act on the part of any of the petitioners so as to attract the provisions of the penal sections invoked against them.

12. In view of the aforesaid discussion, it is found that the petitioners 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 of the Court and to secure the ends of justice, the instant petition deserves to be allowed and the criminal

proceedings against the petitioners deserve to be quashed and set aside. Hence, the following order:

ORDER

(a) The Criminal Writ Petition is allowed to the extent of petitioner Nos.2 to 8 and is dismissed as withdrawn to the extent of husband i.e. petitioner No.1.

(b) FIR No.0655/2024 dated 19.09.2024 registered with the MIDC Police Station, Jalgaon, at the behest of respondent No.2 and the further proceedings arising therefrom, are hereby quashed and set aside to the extent of the present petitioner Nos.2 to 8.

(c) The learned advocate Ms.Vanita Sangole is appointed to represent respondent No.2 in this matter. Therefore, her fees be quantified and paid to her as per rules, by the High Court Legal Aid Services Sub Committee, Aurangabad Bench.

kps (SUSHIL M. GHODESWAR, J.)