IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

78 CRIMINAL APPLICATION NO. 2835 OF 2025

Santosh Shivaji Deshmukh And Others
VERSUS
The State Of Maharashtra And Another
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Mr. S. S. Dixit, Advocate for Applicants.
Mr. S. K. Shirse, APP for Respondent – State.
Mr. N. B. Narwade, Advocate for Respondent No.2.

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 2 NOVEMBER, 2026

PC:

1. Heard Mr. Dixit, learned counsel for the applicants, Mr. Narwade, learned counsel for the respondent No.2 and Mr. Shirse, learned APP for the State.

2. The instant applicant, as against applicant No.1, has already been dismissed as withdrawn vide order dated 4 August 2025. The remaining applicants, who are the in-laws of respondent No.2, have challenged FIR No.295 of 2025 dated 21 March 2025, registered with Pathardi Police Station, District Ahmednagar, for the offences punishable under Sections 498-A, 323, 504 and 506 of the Indian Penal Code, 1860.

3. As per respondent No.2, her marriage with the applicant No.1 took place on 7 February 2022. After the marriage, she started residing with her

in-laws at Kotul, Taluka Akole, District Ahmednagar. It is her allegation that her husband, applicant No.1, was addicted to liquor and used to abuse and assault her on petty issues. Whenever she used to complain about him to his parents, they used to ignore her complaints. Respondent No.2 further alleged that the applicants have demanded Rs.5 lakhs from her for purchasing a new pick-up vehicle. She further stated that, as the said amount could not be paid, the applicants used to harass her and, due to the said harassment, she returned to her parents' house. The applicants were not willing to accept her unless and until the amount of Rs.5 lakhs was paid. Hence, she lodged the report against all the applicants. The FIR came to be registered as Crime No.295 of 2025 dated 21 March 2025 for the offences punishable under Sections 498-A, 323, 504 and 506 of the Indian Penal Code, 1860.

4. Pursuant to the registration of the said FIR, investigation was carried out and the charge-sheet came to be filed.

5. Mr. Dixit, learned counsel for the applicants, submitted that the crime has been registered on the basis of a false story. On the contrary, it is the respondent No.2 who left the company of applicant No.1 because the applicant No.1 suffered paralysis. She left his company after applicant No,1 was discharged from the hospital. According to him, all the allegations made by respondent No.2 are false. As applicant No.1 is unable

to walk, there is no question of purchasing a pick-up vehicle or demanding Rs.5 lakh for the said purpose. He further submitted that the applicants are at all not concerned with the crime in question and they have been deliberately implicated merely because they happen to be relatives of applicant No.1. He therefore prayed for allowing the instant application by quashing the FIR in question.

6. Per contra, Mr. Narwade, learned counsel for respondent No.2, strongly opposed the instant application. He has drawn the attention of this Court to the allegations regarding the demand of Rs.5 lakhs from respondent No.2. He further submitted that, as there are specific allegations against the applicants, the instant application deserves to be rejected.

7. Mr. Shirse, learned APP for the State, also opposed the instant application and reiterated that sufficient material is available on record to prosecute the applicants. He therefore prayed for rejection of the instant application.

8. After hearing the learned counsel for the parties and going through the material placed on record, it is revealed from the FIR that the marriage of respondent No.2 with applicant No.1 took place on 7 February 2022. There is an allegation that applicant No.1 was a habitual drunkard and

used to beat her repeatedly.

9. The Hon’ble Supreme Court in State of **Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335**, recognized the power of the High Court to quash criminal proceedings in appropriate cases where the allegations do not disclose an offence or where the proceedings fall within the recognized categories warranting interference to prevent abuse of the process of law.

10. The Hon'ble Supreme Court, in the case of **Geeta Mehrotra v. State of Uttar Pradesh, (2012) 10 SCC 741**, observed that, in matrimonial disputes, there is tendency to implicate the relatives of the husband without specific allegations disclosing their involvement in the alleged offences. Such relatives may be compelled to face criminal proceedings despite there being no specific material indicating their involvement. The Hon'ble Supreme Court has, therefore, recognized the need to examine whether the allegations against the relatives of the husband disclose a prima facie case or whether their implication would amount to an abuse of the process of law.

11. On perusal of the allegations regarding the demand of Rs.5 lakhs for purchasing a new pick-up vehicle, it is evident that no specific date has been mentioned in respect of the said demand and the allegation has been made against all the accused persons collectively. The allegations are,

therefore, general in nature, as no specific overt act has been pointed out to each of the applicants. In the facts and circumstances of the case, the instant application deserves to be allowed. Hence, the following order:

## ORDER

(a) The Criminal Application is allowed to the extent of applicant Nos. 2 to 8.

(b) FIR No. 295 of 2025 dated 21 March 2025, Charge-sheet No.316 of 2025 dated 14 July 2025, and the further consequential proceedings arising out the said FIR, registered against the applicant Nos.2 to 8, are hereby quashed and set aside.

(SUSHIL M. GHODESWAR, J.)