IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1014 CRIMINAL APPLICATION NO. 3019 OF 2025

Rahul Naganathrao Patil And Others
VERSUS
The State Of Maharashtra And Another
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Ms. Ashwini Patil h/f., Mr. S. J. Salunke, Advocate for Applicant.
Mr. C. V. Bhadane, APP for Respondent – State.
Mr. Swapnil Phatangare h/f., Mr. S. N. Suryawanshi, Advocate for Respondent No.2.

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 22 OCTOBER, 2026

PC:

1. When this Court expresses its disinclination to grant relief to applicant No.1, learned counsel for the applicants sought permission to withdraw the instant application to the extent of applicant No.1.

2. In that view of the matter, the instant application is dismissed as withdrawn against applicant No.1.

3. Applicant Nos.2 to 8 are stated to be the relatives of applicant No.1. The applicants are challenging FIR No. 222 of 2025, dated 9 July 2025, registered with Dhule (City) Police Station, Dhule at the behest of respondent No.2, for the offences punishable under Sections 115(2), 3(5), 85, 352, 351(3) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, charge-

sheet dated 3 September 2025 and RCC No.1049 of 2025.

4. As per the report lodged by respondent No.2/complainant, her marriage with applicant No.1 took place on 20 December 2024. The applicants are relatives of the said husband. Applicant No.1 is the husband of respondent No.2/informant and applicant No.2 is the father-in-law, applicant No.3-mother-in-law, applicant No.4-sister-in-law, applicant No.5-sister-in-law applicant No.6-husband of applicant No.5, applicant No.7-cousin father-in-law and applicant No.8 cousin mother-in-law. The informant alleged in her report that, after her marriage, her husband was demanding Rs.25,00,000/- for purchasing flat. On her refusal, she was driven out of the house. Her husband was instigated by her in-laws to harass her. On the basis of the aforesaid report, the aforesaid FIR to be registered against the accused persons, including the present applicants.

5. The learned advocate for the applicants submitted that the applicants 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 applicants 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.

6. The learned counsel for the applicants submitted that the FIR contains only vague and general allegations against the relatives of the husband, without attributing any specific overt act, date, time, or particular incident to them. As no specific role has been assigned to any of the applicants, the continuation of the proceedings against them would amount to an abuse of the process of law. Hence, the applicants prayed for quashing of the FIR and the proceedings arising therefrom.

7. Per contra, the learned APP strongly opposed the instant application. He submitted that sufficient material is available against the applicants. He referred to the statements of the witnesses recorded by the Investigating Officer and submitted that the applicants had abetted the crime in question. He, therefore, prayed for rejection of the instant application.

8. The learned counsel for respondent No.2/ informant also strongly opposed the instant application. According to him, sufficient allegations have been made against the applicants and they have played major incriminating role in the crime in question. Their participation would be established at the time of trial. 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, the learned counsel for respondent No.2 prayed

for rejection of the instant application.

9. After going through the FIR in question as well as the statements recorded by the Investigating Officer, 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. No specific incident, date or event has been stated in the FIR so as to attribute any specific overt act to the applicants. 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.

10. It is further 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. 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 applicants so as to attract the provisions of the penal sections invoked against them.

11. 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.

12. 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.

13. In view of the aforesaid discussion, it is found that the allegations against the applicants, as reflected in the complaint, 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 the 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. 222 of 2025, dated 9 July 2025, registered with Dhule (City) Police Station, for the offences punishable under Sections 115(2), 3(5), 85, 352, 351(3) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, charge-sheet dated 3 September 2025 as well as criminal proceedings arising therefrom bearing R.C.C. No.1049 of 2025 against applicant Nos.2 to 8, is quashed and set aside insofar as the present applicants are concerned.

(SUSHIL M. GHODESWAR, J.)