IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3513 OF 2025

DATTATRAY JALINDAR DARADE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
...
Shri Dhakane Ramesh Navanath, Advocate for the Applicant
Shri M.A. Aher, APP for Respondent No.1/ State.
Shri Vijay Anikrao Dhakne, Advocate for Respondent No.2.
...

CORAM : SUSHIL M. GHODESWAR, J.

DATE : 03 November 2026

P. C. :-

1. The applicant is seeking quashment of FIR No.102/2024 dated 15.04.2024 registered with the Patoda Police Station, district Beed, at the behest of respondent No.2/ informant, for the offences punishable under Sections 498-A, 323, 504, 506 and 34 of the Indian Penal Code. After completion of investigation, the charge-sheet is filed and the case is now registered as RCC No.62/2024 before the learned Judicial Magistrate, First Class, Shirur Kasar, District Beed. The applicant also seeks quashment of the said further proceedings.

2. The learned advocate for the applicant submitted that the applicant has been implicated in the crime on account of

his relationship with the husband of the informant. He has been falsely implicated in the crime and has no concern with the crime in question. The learned advocate, therefore, prayed for quashing of the FIR in question.

3. *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 applicant and his role is a matter to be decided at the time of trial. Hence, they prayed for rejection of the instant application.

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

5. 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 applicant being brother of the husband of respondent No.2 has been implicated. It is alleged in the FIR that the marriage took place on 15.04.2024 and after marriage, initially she was treated well, but after some period, the husband and father-in-law started harassing the informant and they also demanded Rs.5 lacs for purchasing the tractor. It is alleged that there was harassment on petty issues also. On 27.10.2023, the informant was driven out of

the house and since then, she has been residing with her parents. Therefore, she lodged the report on 15.04.2024.

6. The applicant is the brother-in-law of respondent No.2/ informant. It is her statement that she has been residing with her parents since 27.10.2023 and she lodged the report on 15.04.2024. There is delay in lodging the report. Perusal of the FIR would indicate that the allegations against the applicant 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 applicant. Therefore, such bald allegations, in the absence of specific allegations disclosing his individual involvement in the crime, are insufficient to justify the continuation of criminal prosecution against them.

7. In view of the aforesaid discussion, it is found that the applicant is implicated on account of his relationship with the husband of respondent No.2 and the allegations do not disclose his specific involvement. Therefore, in order to prevent an 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 applicant deserve to be quashed and set

aside. Hence, the following order:

ORDER

(a) The Criminal Application is allowed.

(b) FIR No.102/2024 dated 15.04.2024 registered with the Patoda Police Station, district Beed, at the behest of respondent No.2/ informant and the further consequential proceedings arising out of the said FIR, are hereby quashed and set aside to the extent of the present applicant.

kps (SUSHIL M. GHODESWAR, J.)