IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.1481 OF 2025

1] Sagar Chandragupta Maurya
(Husband)

2] Chandragupta Shankarlal Maurya
(Father-in-law)

3] Sulbha Chandragupta Maurya
(Mother-in-law)

4] Juhi d/o Chandragupta Maurya
(Sister-in-law)

..PETITIONERS
(Orig. Accused Nos. 1 to 4)

VERSUS

1] The State of Maharashtra

2] Sau. Pranjali w/o Sagar Maurya
(Original Informant) ..RESPONDENTS

(Resp. No. 2 is the
Orig. Informant)

Mr. Joydeep Chatterji, Advocate for the Petitioners
Mr. V. M. Lomte, APP for Respondent No. 1
Mr. Vinod P. Patil, Advocate for Respondent No. 2

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 27th OCTOBER, 2026

PER COURT :

1. By this petition filed under Article 226 of the Constitution of India, the petitioners, who are the original accused nos. 1 to 4, seek

quashing of F.I.R. bearing Crime No. 0171/2025 dated 20.08.2025 registered with Deopur Police Station, Dhule, for the offence punishable under Section 85 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 and all consequent proceedings. By order dated 16.10.2025, the petition was dismissed as withdrawn as against petitioner no. 1, who is the husband of respondent no. 2. The petition is, therefore, considered in respect of petitioner nos. 2 to 4.

2. Petitioner nos. 2 and 3 are the father-in-law and mother-in-law, and petitioner no. 4 is the sister-in-law of respondent no. 2 the informant, whose marriage with petitioner no. 1 took place on 08.12.2023. As per the F.I.R., after being treated well for three days, the accused took away her gold ornaments for keeping them in a locker and started harassing her petitioner no. 3 used to point out mistakes in her work and petitioner no. 4 used to taunt her about her dressing and her job and the husband, who allegedly had an extra-marital affair, harassed her and asked her to bring Rs. 5,00,000/- from her parents for a car business. It is alleged that when her relatives came on 21.08.2024 to convince the accused, they were told to take her back, and that on 31.08.2024 petitioner no. 2 told her father on phone to take her with him and not send her back. She came to her parental home on 01.09.2024, approached the Bharosa Cell, Dhule on 26.06.2025 and lodged the F.I.R. on 20.08.2025.

3. Learned counsel for the petitioners submitted that the allegations against petitioner nos. 2 to 4 are vague and general, and that there is no allegation of cruelty against the father-in-law. He

submitted that petitioner no. 4 got married on 17.04.2022, i.e., before the marriage of petitioner no. 1, and, being employed with the Bank of India, was posted at Raigad and later at Pune, and never resided with the couple; and that petitioner nos. 2 and 3 are senior citizens. He pointed out that, though the alleged period of harassment ends on 01.09.2024, the F.I.R. was lodged after about eleven months, only after petitioner no. 1 filed M.J. Petition No. A-1742/2025 on 05.07.2025 before the Family Court, Bandra, Mumbai seeking annulment of the marriage or, in the alternative, divorce, and notice of the same was issued to respondent no. 2 on 29.07.2025. According to him, the F.I.R. is a counterblast to the said proceedings.

4. The learned APP and the learned counsel for respondent no. 2 opposed the petition, contending that the F.I.R. discloses harassment of respondent no. 2 by the petitioners, including taking away her ornaments, and that the matter requires investigation.

5. In ***State of Haryana v. Bhajan Lal*** (1992 Supp (1) SCC 335), the Hon'ble Supreme Court has held that the High Court may, in exercise of its powers under Article 226 of the Constitution of India or its inherent powers, quash criminal proceedings where the allegations, even if taken at their face value, do not disclose an offence, or where the proceedings are manifestly attended with mala fide and maliciously instituted with an ulterior motive. In ***Geeta Mehrotra v. State of Uttar Pradesh*** ((2012) 10 SCC 741) and ***Kahkashan Kausar v. State of Bihar*** ((2022) 6 SCC 599), it has been held that general and omnibus allegations against the relatives of the husband in matrimonial disputes

cannot sustain prosecution.

6. Perusal of the F.I.R. shows that the allegations of harassment are made against all the accused in general terms. The demand of Rs. 5,00,000/- and the other serious allegations are attributed to the husband alone, against whom the petition has not been pressed. As against petitioner no. 3, the allegation is only that she used to point out mistakes in the work of the informant, and as against petitioner no. 4, that she used to taunt the informant about her dressing and job. The only allegation against petitioner no. 2 is that he told the father of the informant to take her with him. Such allegations, even if accepted as they are, do not amount to wilful conduct of such a nature as is likely to drive the woman to commit suicide or cause grave injury, or to harassment with a view to coerce her or her relatives to meet any unlawful demand, so as to constitute cruelty under Section 85 of B.N.S. The general allegation that the ornaments were taken for keeping in a locker also does not, by itself, constitute such cruelty.

7. Further, petitioner no. 4 was married prior to the marriage of the informant and was residing elsewhere on account of her employment, which makes the allegation against her inherently improbable. The F.I.R. has been lodged nearly eleven months after the informant left the matrimonial house and soon after petitioner no. 1 initiated matrimonial proceedings against her, which indicates that the relatives of the husband have been implicated as a counterblast. Thus, accepting the allegations at their face value, no offence is made out against petitioner nos. 2 to 4, and the continuation of the proceedings

against them would be an abuse of process of law. Hence, the following order :-

O R D E R

i) The petition stands not pressed as against petitioner no. 1, as per order dated 16.10.2025.

ii) The Criminal Writ Petition is allowed in respect of petitioner nos. 2 to 4.

iii) F.I.R. bearing Crime No. 0171/2025 dated 20.08.2025 registered with Deopur Police Station, Dhule, for the offence punishable under Section 85 read with Section 3(5) of B.N.S., 2023, and all consequent proceedings arising therefrom, stand quashed and set aside insofar as petitioner no. 2 Chandragupta Shankarlal Maurya, petitioner no. 3 Sulbha Chandragupta Maurya and petitioner no. 4 Juhi d/o Chandragupta Maurya are concerned.

(SUSHIL M. GHODESWAR, J.)