This Order is Speaking to Minutes order of order dated //

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.4300 OF 2025

Ramesh s/o Pandurangrao Patil
VERSUS
The State of Maharashtra & anr.
…..
Mr D. M. Shinde, Advocate for Applicant Nos.1, 2 & 5
Mr J. M. Wagh, Advocate for Applicant Nos.3 and 4
Mr C. V. Bhadane, APP for Respondent No.1/State
Mr J. V. Patil, Advocate h/f Mr F. K. Patel, Advocate for Respondent No.2
…..

CORAM : SUSHIL M. GHODESWAR, J.

DATE : 4th NOVEMBER, 2026

P. C. :

1. Not on the Board. Mentioned.

2. The matter is moved for two purposes, firstly, seeking amendment to correct the surname of applicant No.5 as ‘Patil’ instead of ‘Pawar’ in the application and secondly, for speaking to the minutes of the order dated 31.10.2026 so as to correct the surname of applicant No.5 as ‘Patil’ and further for adding appearance of the learned advocate Shri J. M. Wagh for applicant Nos.3 and 4 in the title clause.

3. In view of the innocuous requests and inadvertent typographical errors, amendment is allowed and to be carried out forthwith and the following correction is also permitted in the order dated 31.10.2026 :-

In the cause title of the order dated 31.10.2026, the surname of applicant No.5 be corrected as ‘Patil’ instead of ‘Pawar’ and the name of learned advocate ‘Mr J. M. Wagh, Advocate for applicant Nos.3 and 4’ be inserted in appearance clause.

4. The order dated 31.10.2026 be accordingly, corrected and uploaded. The motion is disposed of.

[SUSHIL M. GHODESWAR, J.]

sjk

(This order dated 31/10/2026 is modified in view of the order dated 04/11/2026 passed on a motion for speaking to the minutes of the order)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

952 CRIMINAL APPLICATION NO. 4300 OF 2025

1) Ramesh s/o Pandurangrao Patil
2) Rajani w/o Ramesh Patil
3) Shriya d/o Ramesh Patil
4) Nikhil s/o Vijay Bhadane
5) Rucha d/o Ramesh **Patil** ….APPLICANTS

VERSUS

1. The State of Maharashtra,
Thr. Shivaji Nagar Police Station,
Dist. Latur

2. Shruti Rohan Patil ….RESPONDENTS

…..

Mr D. M. Shinde, Advocate for Applicant Nos.1, 2 and 5
Mr J. M. Wagh, Advocate for Applicant Nos.3 and 4
Mr C. V. Bhadane, APP for Respondent No.1/State
Mr J. V. Patil, Advocate h/f Mr F. K. Patel, Advocate for Respondent No.2

…..

CORAM : SUSHIL M. GHODESWAR, J.

DATE : 31st OCTOBER, 2026

P. C. :

1. Heard learned Advocate Mr Shinde for the applicants, learned APP Mr Bhadane for respondent No.1/State and learned Advocate Mr Patil, holding for Advocate Mr Patel for respondent No.2.

2. By this application, the applicants are praying for quashing and setting aside the FIR bearing C.R.No.436/2024, dated 26/10/2024, registered against them at the behest of respondent No.2/complainant with the Shivajinagar Police Station, Tq. and Dist Latur for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code; the consequential Charge-Sheet No.60/2025, dated 08/04/2025 and the criminal proceedings bearing R.C.C. No.342/2025 filed before the learned Chief Judicial Magistrate, Latur.

3. The marriage of respondent No.2 took place with one Rohan Ramesh Patil on 12/03/2020. The applicants are the relatives of the husband Respondent No.2. Applicant Nos.1 and 2 are the father-in-laws and mother-in-law, respectively of respondent No.2. Applicant Nos.3 and 5 are the sister-in-law of respondent No.2 and applicant No.4 is husband of applicant No.3. Respondent No.2 alleges in the aforesaid FIR that, after the marriage, she started residing with the in-laws. She was well treated initially for 15 days and after that her in-laws started to give ill-treatment to her on account of petty reasons. It is also alleged that the applicants also started ill-treating at her on account of a demand of an amount of Rs.80,00,000/- from her maternal house for purchasing a new flat at Pune. She has also given

description in the report regarding harassment meted out at the hands of applicants on account of transferring her father's flat on their name. It is further alleged that, following the said harassment, she was driven out of the matrimonial house on 12/11/2023. Thereafter, all the accused persons alleged to have come to her parents house on 29/04/2024 for counseling, however, in the said meeting, they again alleged to have demanded Rs.80,00,000/- from her parents. She further alleged that accused persons demanded the said amount, declaring that, unless and until said amount was paid by respondent No.2, the applicants will not allow her to reside with her husband Rohan. With all these allegations, the FIR came to be registered by her.

4. Learned Advocate for the applicants submits that the allegations of respondent No.2 against the applicants about ill treatment are general in nature and the same have been made with a view to rope them the instant crime. He further submits that, all the applicants are residing at different places. Applicant No.1/father-in-law of respondent No.2 is resides at Nanded or his native place Ekamba with applicant No.2 and both have not shared house with the informant. Applicant Nos.3 is married sister-in-law, applicant No.4 is husband of applicant No.3 and applicant No.5 is sister-in-law of

respondent No.2. After their marriage, applicant Nos.3 and 4 are residing separately in Pune and have no concern with day to day affairs of respondent No.2. He then submits that applicant No.5 is married sister. Her marriage is taken place in 2015 and since then, she resides at Hyderabad. Therefore, according to him, there is no question of ill treatment at the hands of applicant Nos.3 to 5.

5. Learned Advocate for the applicants then submits that the applicants are at all not related with the crime. Their names have been deliberately dragged into the instant crime so as to harass them and implicate them merely because they happened to be relatives of husband of respondent No.2. According to him, in the report as well as in the statements of the witnesses, there are no specific allegations, which attract offences registered against the applicants. All the allegations are general in nature. He, therefore, submits that, no offence said to have attracted against applicants. Therefore, he submits that continuation of criminal proceedings against the applicants would be abuse of process of law. Hence, he prays for quashing the FIR as well as the consequential criminal proceedings against the applicants by allowing the instant application.

6. Per contra, learned APP strongly opposes the instant application. He submits that there are specific allegations as regards demand of money against the applicants and on that count they used to harass respondent No.2. He refers to the statements of the witnesses recorded by the Investigating Officer and submits that the applicants had abetted the crime in question. According to him, since there is sufficient incriminating material against the applicants, they do not deserve any relief from this Court. He, therefore prays for rejection of the present application.

7. Learned Advocate Mr Patil holding for Advocate Mr Patel for respondent No.2 also strongly opposes the instant application. He reiterates the submissions of the learned APP and also prays for rejection of the instant application.

8. After hearing submissions advanced by the learned Advocates for the respective parties and going through the material placed before this Court including FIR and charge-sheet and the statement recorded by the Investigating Officer, it is clear that respondent No.2 has levelled general allegations of demand of money and harassment against all the applicants. Moreover, it has been sufficiently pointed out before this Court that the applicants are

residents of different places and there was no occasion to applicants to reside with respondent No.2 and her husband at the matrimonial house. They might have visited the house of respondent No.2, but that does not mean they are actually involved in the instant crime. It appears that the applicants have been found to be deliberately implicated in the instant crime. In that view of the matter, the present case is covered by the judgment of the Hon'ble Apex Court in **State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335,** wherein the Hon'ble Apex Court 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.

9. 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.

10. 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) The FIR bearing C.R.No.436/2024, dated 26/10/2024, registered with the Shivajinagar Police Station, Tq. and Dist Latur for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code; the consequential Charge-Sheet No.60/2025, dated 08/04/2025 and the criminal proceedings bearing

R.C.C. No.342/2025, filed before the learned Chief Judicial Magistrate, Latur, are hereby set aside to the extent of present applicants.

[SUSHIL M. GHODESWAR, J.]

sjk