IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1632 OF 2025

1] Naresh Ashok Kamble
(Husband)
2] Mangal Ashok Kamble
(Mother-in-law)
3] Ashok Dajiram Kamble
(Father-in-law)
4] Nilesh Ashok Kamble
(Brother-in-law)
5] Meena Baban Kamble
(Sister-in-law) ..PETITIONERS
(Orig. Accused)

VERSUS

1] The State of Maharashtra
Through the Principal Secretary, Home Department,
Mumbai
2] The Senior Inspector of Police
Shivaji Nagar Police Station, Dist. Beed
3] Dr. Rutuja Naresh Kamble
(Original Informant) ..RESPONDENTS
(Resp. No.3 is the Orig. Informant)

...

Mr. Shrimant Mundhe, Mr. Tushar Shedge and Mr. Amol Chate, Advocates for the Petitioners.
Mr. V. M. Lomte, APP for Respondent Nos.1 and 2/ State.
Mr. Rajendra D. Sanap, Advocate for Respondent No.3/ Informant.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 31st OCTOBER, 2026

PER COURT :

1. Heard the learned advocates appearing for the respective parties.

2. Petitioner No.1 is the husband of respondent No.3/ informant. Petitioner Nos.2 and 3 are the mother-in-law and father-in-law, petitioner No.4 is the brother-in-law and petitioner No.5 is the sister-in-law of respondent No.3.

3. By this petition filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners are challenging FIR No.0445/2025 dated 25.08.2025 registered with Shivaji Nagar Police Station, Beed, at the behest of respondent No.3 for the offences punishable under Sections 85, 115(2) and 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. The marriage of respondent No.3 with petitioner No.1 took place on 29.12.2024 at Beed, and thereafter she resided with him at Dombivali. As per the report lodged by respondent No.3/ informant, after the marriage she was ill-treated, abused, assaulted, deprived of food, and was harassed for dowry by the petitioners. As such, the aforesaid FIR came to be registered at the behest of respondent No.3 on 25.08.2025.

5. In pursuance of the aforesaid FIR, the investigation was set in motion and after completion of investigation, the charge-sheet was filed, and the proceedings bearing R.C.C. No.816/2025 pending before

the learned Chief Judicial Magistrate, Beed. By amendment permitted by order dated 04.12.2025, the petitioners have also challenged the order dated 17.10.2025 passed in the said case.

6. Learned advocate for the petitioners submitted that respondent No.3 cohabited with petitioner No.1 only for about forty days, during which she frequently visited her parental home, and she never lodged any complaint with the police during that period. On 08.05.2025, petitioner No.1 himself lodged a non-cognizable Complaint No.2624/2025 at Manpada Police Station, Dombivali, apprehending false implication, and thereafter issued a legal notice dated 15.05.2025 to respondent No.3. Respondent No.3 then approached the Mahila Takrar Nivaran Kendra, Kalyan on 13.05.2025, which she withdrew and the Bharosa Cell, Beed on 01.08.2025, ultimately lodged the present FIR. He further submitted that the allegations are vague and omnibus, without any date, time or place, and that petitioner No.5 resides separately at Mumbai. Hence, continuation of the prosecution would amount to abuse of process of law.

7. Per contra, learned APP appearing for respondent Nos.1 and 2/ State as well as learned advocate appearing for respondent No.3/ informant strongly opposed the instant petition. They submitted that sufficient material is available in the charge-sheet against the petitioners and their role is a matter to be decided at the time of trial. Hence, they prayed for rejection of the instant petition.

8. 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 powers to quash criminal proceedings, including where the allegations, even if taken at their face value, do not constitute any offence, or where the proceedings are manifestly attended with mala fides. Further, in ***Geeta Mehrotra v. State of Uttar Pradesh, (2012) 10 SCC 741***, 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 in matrimonial disputes and observed that general and omnibus allegations, without specific allegations disclosing individual involvement in the alleged offences, may not justify the continuation of criminal proceedings. In the case in hand, the allegations against the petitioners, therefore, need to be examined in the light of the aforesaid principles laid down by the Hon'ble Supreme Court.

9. After going through the FIR in question and the material on record, it is found that the FIR is the outcome of matrimonial differences between respondent No.3 and petitioner No.1. The marriage took place on 29.12.2024, and respondent No.3 cohabited with petitioner No.1 only for a short period. The allegations of ill-treatment, assault, deprivation of food and demand of dowry are made against the petitioners collectively, without any specific date, time, place or overt act attributed to any of them, and no medical or other contemporaneous material has been placed on record in support thereof. Respondent No.3 did not make any complaint during the period of cohabitation. On the other hand, petitioner No.1 had already lodged a non-cognizable complaint on 08.05.2025 and issued a legal

notice dated 15.05.2025, and only thereafter, respondent No.3 approached the Mahila Takrar Nivaran Kendra, Kalyan, withdrewing the complaint, approached the Bharosa Cell, Beed and ultimately lodged the present FIR on 25.08.2025. The sequence of events indicates that the FIR has been lodged as a counterblast. Petitioner No.5 resides separately at Mumbai. Such vague and omnibus allegations are insufficient to justify the continuation of criminal prosecution against the petitioners.

10. In view of the aforesaid discussion, it is found that the FIR is the outcome of a matrimonial dispute and the allegations do not disclose the specific involvement of the petitioners. Therefore, in order to prevent an abuse of process of the Court and to secure the ends of justice, the instant petition deserves to be allowed and the criminal proceedings against the petitioners deserve to be quashed and set aside. Hence, the following order:

O R D E R

(a) Criminal Writ Petition is allowed.

(b) FIR No.0445/2025 dated 25.08.2025 registered with Shivaji Nagar Police Station, Beed, at the behest of respondent No.3 and the further proceedings arising therefrom, including the order dated 17.10.2025 and R.C.C. No.816/2025 pending before the learned Chief Judicial Magistrate, Beed, are hereby quashed and set aside to the extent of the present petitioner Nos.1 to 5.

(SUSHIL M. GHODESWAR, J.)

khs/Oct.2026/