IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

971 CRIMINAL WRIT PETITION NO. 1635 OF 2025

Anil Shivram Palve And Others
VERSUS
The State Of Maharashtra And Another
.....
Mr. S. E. Shekade, Advocate for the Petitioner.
Mr. C. V. Bhadane, APP for Respondent – State.
.....

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 In that view of the matter, the instant application is dismissed as withdrawn against applicant No.1.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 10 are stated to be the relatives of applicant No.1. The applicants are challenging the FIR dated 4 October 2010, bearing registration No.750 of 2024, registered with Nagar Taluka Police Station, District Ahilyanagar (Ahmednagar), for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code, as well as the criminal proceedings arising therefrom bearing

R.C.C. No.1476 of 2024 and the order dated 30 December 2024, passed by the learned Judicial Magistrate First Class, Ahmednagar.

4. Respondent No.2 lodged a report stating therein that she was married to applicant No.1 on 7 May 1998. After the marriage, she went to reside with applicant No.1. According to her, initially for a period of two years, her in-laws treated her properly. However, thereafter, her mother-in-law namely, Shashikala Shivram Palve, started troubling her on petty issues. Therefore, she tried to inform her husband-applicant No.1, about the said ill-treatment. However, instead listening to her complaints, he started assaulting her. It is also her allegation that applicant Nos.2 to 10 are used to instigate applicant No.1. On the basis of such instigation, her husband used to harass her mentally and physically. In view of the said ill-treatment, she had initially filed a complaint under Section 498-A of the Indian Penal Code against applicant No.1 and her in-laws. However, she subsequently withdrew the said complaint. Thereafter, when she again started residing with the applicants, the harassment at their behest continued. Therefore, she approached to Women's Cell at the S. P. Office, Ahmednagar, on 2 August 2024. As no conciliation could take place before the said Women's Cell, she ultimately lodged the report against the applicants.

5. Learned counsel for applicants state that the allegations against

applicant No.2 to 10 are general in nature and absurd. Applicant Nos.2 to 10 have been deliberately roped into the instant crime merely because they are relatives of applicant No.1. Applicant Nos.3 to 9 are residing at different places and are not residing with applicant Nos.1 and respondent No.2. According to him, the contents of the FIR do not disclose the commission of any offence by the applicants. He, therefore, submits that the instant criminal proceedings deserve to be quashed insofar as applicant Nos. 2 to 10 are concerned.

6. *Per contra*, Mr. Bhadane, learned APP, strongly opposes the instant application. According to him, there is sufficient incriminating material against the applicants. He, therefore, prays for dismissal of the instant application.

7. After hearing learned counsel for the parties and perusing the contents of the FIR and the statements of the witnesses, it is clear that respondent No.2 has levelled the general allegations against applicant Nos.2 to 10. No specific dates and events have been mentioned so as to substantiate the offences registered against the applicants. The allegations in the FIR, even if considered at their face value, do not *prima faice* constitute any offence against the applicants. Upon perusal of the contents of the FIR, this case is squarely covered by the principles laid down by the Hon'ble Apex Court in State Of **Haryana And Ors vs Bhajan Lal And Ors.,**

1992 Supp (1) SCC 335 and **Geeta Mehrotra v. State of Uttar Pradesh, (2012) 10 SCC 741**.

8. In that view of the matter, the instant Criminal Application is allowed. FIR dated 4 October 2010, bearing registration No.750 of 2024, registered with Nagar Taluka Police Station, District Ahilyanagar (Ahmednagar), for the offences punishable under Sections 498-A, 323, 504, 506, 34 Indian Penal Code, as well as the criminal proceedings arising therefrom bearing R.C.C. No.1476 of 2024 and the order dated 30 December 2024, passed by the learned Judicial Magistrate First Class, Ahmednagar is quashed and set aside to the extent of applicant Nos.2 to 10 are concerned.

(SUSHIL M. GHODESWAR, J.)