IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

986 CRIMINAL APPLICATION NO. 4803 OF 2025

Anandrao Gulabrao Patil And Others
VERSUS
The State Of Maharashtra And Another
.....
Mr. Akshay Mulange h/for Mr. Jitendra V. Patil, Advocate for Applicants.
Mr. A. A. A. Khan, APP for Respondent – State.
Mr. S. S. Patil, Advocate for Respondent No.2.
.....

CORAM : SUSHIL M. GHODESWAR, J.

DATE : 28 OCTOBER, 2026

PC:

1. The instant applicant, as against applicant No.1, has already been dismissed as withdrawn vide order dated 23 December 2025.

2. By this criminal application filed under Section 482 of the Code of Criminal Procedure, 1973, the applicants are challenging FIR No.50/2025 dated 15/05/2025 registered with the Chalisgaon Police Station, Dist. Jalgaon, at the behest of respondent No.2, for the offences punishable under Sections 498-A, 323, 504, 506 and 34 of the Indian Penal Code, 1860 (for short “I.P.C”) and In pursuance of the aforesaid FIR, the investigation was set in motion and after completion of investigation, the charge-sheet was filed. Now, the proceedings bearing RCC No.142/2025 are pending before the learned Judicial Magistrate, First Class, Chalisgaon,

wherein, the order of issuance of process has been passed on 09/04/2025.

3. Applicant No.2 is sister in- law of Respondent No.2, applicant No.3 is brother in-law of Respondent No.2 and applicant No.4 is sister-in-law of Respondent No.2 (hereinafter referred to as “the applicants”.)

4. As per the report lodged by respondent No.2/ complainant, her marriage with applicant No.1 took place on 27/12/2016. After her marriage, initially respondent No.2/ wife was treated well. Thereafter applicant No.1 started quarrelling with her and applicants taunted her over insufficient hospitality and gifts. However, the applicant No. 1 and his relatives used to physically assault and abuse her on account of petty issues. The applicants, however, used to support her husband and instigate him so that he should beaten and harass respondent No.2. Thereafter applicants stated abusing and beaten her and also demanded Rs.20,00,000- for purchase Gir Cow Farm and Rs.5,00,000 for a Falt, assaulted and threaten her with divorce and drove her out of the matrimonial home. Since 2022, complainant has been residing with her parents and applicant No. 1 served a divorce notice upon her in September 2024. As such, the aforesaid FIR came to be registered at the behalf of respondent No.2.

5. The learned advocate for the applicants submitted that the

applicants have been implicated in the crime on account of their relationship with the applicant No.1 of the informant. They have been falsely implicated in the crime and have no concern with the crime in question. It is submitted that the marriage took place in 2016 and alleged cruelty began after three months of marriage, complainant left the matrimonial home in the year 2022 and the FIR came to be lodged on 15/02/2025, i.e. after an unexplained delay of more than eight years. It is submitted that applicant No.2 to 4 are residing separately, having no connection with the complainant's matrimonial life. Therefore the they are no concerned with the allegation. The learned counsel for the applicants further submitted that the continuation of the criminal prosecution against them would amount to an abuse of the process of law. Hence, the applicants prayed for quashing of the FIR and the proceedings arising therefrom.

6. Per contra, the learned APP appearing for the respondent No. 1/ State as well as the learned advocate appearing for the respondent No. 2/informant strongly opposed the instant application. They submitted that sufficient material is available against the applicants. According to them, sufficient allegations have been made against the applicants and they have played major incriminating role in the crime in question. It would be premature to conclude that they are not involved in the crime. They are

required to be prosecuted before the trial Court for having committed serious crime against respondent No.2. Hence, they prayed for rejection of the instant application.

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

8. 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 applicant No.1 and wife and that the relatives of the husband have been implicated on account of their relationship with him. It is evident that the marriage took place on 27/12/2016 . However, the allegations against the applicants 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 applicants. The FIR contains only vague and omnibus allegations against them. Therefore, such bald allegations, in the absence of specific allegations disclosing their individual involvement in the crime, are insufficient to justify the continuation of criminal prosecution against them. Neither the contents of the FIR nor the statements recorded by the Investigating Officer disclose any specific overt act on the part of any of the applicants so as to attract the provisions of the penal sections invoked against them.

9. It is also found that applicant No. 2 has been residing permanently in the USA since 2009 and applicant No.3 and 4 are also residing separately, therefore there is no connection with the Complainant's matrimonial life. Therefore, the applicants are no concerned with the alleged crime.

10. In view of the aforesaid discussion, it is found that the applicants are implicated on account of their relationship with the husband of

respondent No.2 and the allegations do not disclose their 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 applicants deserve to be quashed and set aside. Hence, the following order:

ORDER

(a) The Criminal Application is allowed insofar as applicant No. 2 to 4 are concerned.

(b) FIR No. 50/2025 dated 15/02/2025 registered with the Chalisgaon Police Station, at the behest of respondent No.2 and the further proceedings arising therefrom, are hereby quashed and set aside to the extent of the applicant Nos.2 to 4.

(SUSHIL M. GHODESWAR, J.)