



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1646 OF 2024

1. Pramod s/o. Babasaheb Samudre (Husband)
Age 40 years, Occu. Private Job,
R/o. Near MIT School, Sepwadi,
Ambajogai, District Beed
2. Ushabai w/o. Babasaheb Samudre (Mother-in-law)
Age 63 years, Occu. Househod, R/o. As above
3. Babasaheb s/o. Rambhau Sambudre (Father-in-law),
Age 69 years, Occu. Retired Teacher, R/o. As above
4. Pratibha w/o. Satish Bansode, (Sister-in-law)
Age 38 years, Occu. Household, R/o. Jaibhimnagar,
More Wadi, Ambajogai, District Beed
5. Satish s/o. Rajendra Bansode,
(Husband of sister-in-law), Age 43 years,
Occu. Service, R/o. Lokhandi Sawargaon,
Taluka Ambajogai, At present Sub-Registrar,
Seilu, Taluka Seilu, District Parbhani
6. Kiran @ Yeshodhan s/o. Babasaheb Samudre,
Age 37 years, Occu. Service, R/o. Near MIT School
Sepwadi, Ambajogai, District Beed .. Applicants

Versus

1. The State of Maharashtra
Through Police Inspector,
Police Station Shivajinagar,
Beed, District Beed
2. Pradnya w/o. Pramod Samdre,
Age 37 years, Occu. Service,
R/o. Near MIT School, Ambajogai,
District Beed At present Yeshwantnagar,
Beed, Taluka and District Beed .. Respondents

Mr. Nitin U. Telgaonkar, Advocate for Applicants;
Mr. P. P. Dawalkar, A.P.P. for Respondent No.1;
Ms. S. T. Kazi, Advocate for Respondent No.2 (Appointed)

CORAM : SACHIN S. DESHMUKH, J.

DATE : 29-01-2026

PER COURT:-

1. The applicants have approached this Court seeking quashing and setting aside the first information report bearing Crime No.25 of 2024, dated 23.01.2024 presented by respondent No.2/complainant, registered with Shivajinagar Police Station, Beed, for the offences punishable under Sections 498A, 420, 323, 504 and 506 read with Section 34 of the Indian Penal Code and order issuing summons rendered by the learned Judicial Magistrate, First Class, Beed, in Regular Criminal Case No.614 of 2024, dated 23.10.2024.

2. The assertion raised in the complaint that the marriage between respondent No.2/complainant and applicant No.1 was solemnized on 19.05.2015 as per the customary rites and traditions. Thereafter, the informant was treated nicely for some days. The further assertion is that applicants No. 2 to 6 have been involved in acts of cruelty and domestic violence. The husband raised dispute on account of trivial issues and assaulted the informant. Applicant No.1/husband also assaulted the informant. Eventually, applicant No.1 abandoned interaction with the informant and was driven out of the matrimonial house. While presenting the complaint, the sweeping allegations have been levelled against the in-laws, including the applicants No.2 to 6.

Raising an exception to the complaint, present proceeding has been presented under Section 482 of the Code of Criminal Procedure.

3. Learned counsel for the applicants seeks leave for withdrawal of the application to the extent of applicant No.1/husband. Leave granted. The application is, therefore, limited to applicants No.2 to 6.

4. The learned counsel for the applicants submits that the filing of the complaint against the applicants is nothing but a sheer abuse of process of law. Applicant No.2 and 3 are the in-laws, applicant No.4 is sister-in-law and applicant No.5/husband of applicant No.4, is serving as a Sub-Registrar at Seilu, District Parbhani. Applicant No.6/brother-in-law of the informant, is serving in MIDC, Chakan, District Pune. Hence, applicants No.2 to 6 are residing independently.

5. Learned counsel for the applicants further submits that the FIR lodged on 24.01.2024 regarding an incident allegedly occurring between 15.12.2018 to 22.07.2022 suffers from an unexplained delay of over fifteen months. It is contended that the allegations are sweeping and frivolous, aimed solely at implicating the husband's relatives without attributing specific roles. Notably, applicant No.4 has resided at her matrimonial home since before the informant's marriage and applicant No.6 resides in Pune for

employment, making the alleged demands improbable. The chargesheet fails to establish the leveled offences. Hence, prayed to allow the application.

6. Per contra, the learned counsel for respondent No.2/ complainant submits that the offence is serious in nature. The applicants have subjected to cruelty and domestic violence the informant. As such, prayed to reject the application.

7. Having heard the learned counsel for litigating sides, the fact remains that applicants No.2 to 6 herein, are the blood relatives of applicant No.1/the informant's husband; they are residing separately with their respective family. Except the sweeping and omnibus allegations in the first information report, no specific role is attributed as against these applicants No.2 to 7. The tendency is gaining ground in matrimonial disputes to implicate the close relatives of the husband with a view to subject them to unnecessary hardship *vis-a-vis* trials and tribulations of frivolous prosecutions, which is nothing but a sheer abuse of process of law.

8. It is evident that the initiation of criminal process is a serious matter with penal consequences involving coercive measures, which can be permitted only when specific act(s) which constitute offences punishable under the relevant provisions. With the same vigour, criminalizing domestic disputes without specific allegations and credible materials to support the same, may have disastrous

consequences for the institution of family, which is built on the premise of love, affection, cordiality and mutual trust. Institution of family constitutes the core of human society. The matrimonial relationships are guided by deeply ingrained social values and cultural expectations. These relationships are often viewed as sacred, demanding a higher level of respect, commitment and emotional investment compared to other social or professional associations.

9. Thus, the preservation of family relationship has always been emphasized in our society. As such, when the family relationships are sought to be brought within the ambit of criminal proceedings rupturing the family bond, the Court should be circumspect and judicious, and should allow invocation of the criminal process only when there are specific allegations with supporting materials on record, which clearly constitute criminal offences as alleged.

10. The matrimonial relations are fundamentally based on the cordiality and trust, turn sour to an extent to make a partner hurl allegations of cruelty and domestic violence against the other partner, would normally not happen at the spur of the moment, and such acrimonious relationship would develop only in due course of time. Accordingly, such circumstances are often the culmination of a series of acts that turns, an otherwise amicable relationship, into a fractured one. In the cases involving the

allegations of domestic violence or cruelty, there would typically be a series of offending acts, which would require to clearly spelled out by the complainant against the criminal proceedings sought to be initiated.

11. Thus, mere general allegations of harassment, without attributing the specific role against applicants No.2 to 6, would not suffice to initiate the proceedings and subject them to the trial and tribulations of a false case.

12. Resultantly, I am of the considered view that in the cases relating to cruelty and domestic violence, the FIR/chargesheet and subsequent material, the allegations therein must be specific against each and every member of the family having accusation of such offences and are sought to be prosecuted. Thus, the continuance of proceedings against these applicants by discriminately dragging these blood relatives into the proceedings would amount to sheer abuse of process of law. In order to achieve the ends of justice, the FIR/chargesheet and order issuing process/summons in the said proceedings under challenge, deserve to be quashed and set aside as against applicants No.2 to 6.

13. Accordingly, the criminal application stands allowed in terms of prayer Clause ("B, B-1, B-2 and B-3") to the extent of applicants No.2 to 6 only.

14. The complaint bearing Crime No.25 of 2024 dated 23.01.2024 presented by respondent No.2/complainant registered with the Shivajinagar Police Station, Beed, for the offences punishable under Sections 498A, 420, 323, 504 and 506 read with Section 34 of the Indian Penal Code, and order issuing process/summons rendered by the learned Judicial Magistrate, First Class, Beed, in Regular Criminal Case No.614 of 2024, dated 21.10.2024, is hereby quashed and set aside to the extent of applicants No.2 to 6.

15. The application of applicant No.1 stands dismissed as withdrawn.

16. The Secretary, High Court Legal Services Sub-Committee, Aurangabad, to pay the fees of the learned counsel appointed for the applicant and respondent No. 2, as per rules.

[SACHIN S. DESHMUKH]
JUDGE

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