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

936 CRIMINAL APPLICATION NO. 1688 OF 2024

1. Sainath Vilasrao Auti,
[Husband]
Age-29 years, Occu-Labour,
R/o. Near Yashwant Hotel, Sambhajinagar
Parner, Tq. & Dist. Ahmednagar
2. Suvarna Vilas Auti,
[Mother-in-law]
Age-33 years, Occu-Teacher,
R/o. House No. 2196 Supa Road,
Kanakgiri, Sambhaji Nagar, Parner
Dist. Ahmednagar
3. Bhagyashree Vilas Auti
Age-33 years, Occu-Teacher,
R/o. As above
4. Rajeshri Dhananjay Tekale,
[Sister-in-law]
Age-40 years, Occu-Service,
R/o. Row House No.19, Raj Vally,
Near Nath Vally School, Aurangabad
Tq. & Dist. Aurangabad
5. Dhananjay Eknath Tekale,
[Husband of applicant No.4]
R/o. Row House No.19, Raj Vally,
Near Nath Vally School, Aurangabad
Tq. & Dist. Aurangabad
6. Tejshri Amol Ingawale,
[Sister-in-law]
Age-33 years, Occu-Service,
R/o. Flat No. 709, 7th Floor, Bhuvi Society-2,
Yamuna Nagar Road Wakad, Pune,
Tq. & Dist. Pune 411 057

7. Amol Bhagwan Ingawale,
[husband of Applicant No.6]
Age-43 years, Occu-Business,
R/o. As above

VERSUS

1. The State of Maharashtra,
through Supa Police Station
Tq. Parner, Dist. Ahmednagar
2. Shubhangi Sainath Auti,
Age-25 years, Occu-Household,
R/o. Wadner Haveli, Tq. Parner,
Dist. Ahmednagar
C/o. Balasaheb Haribhau Walunj,
Walunj Wada, Wadner Haveli,
Tq. Parner

...RESPONDENTS

Mr. G. R. Syed, Advocate for the applicants
Mr. N. D. Raje, APP for the respondents/State
Adv. Kojagiri M. Salve, Advocate h/f Mr. V. P. Narwade, Advocate for
the respondent No.2

CORAM : RAJNISH R. VYAS, J.

DATE : 01st APRIL, 2026

PER COURT :

1. Heard.
2. Family members so also husband have invoked the
inherent jurisdiction of this court praying for quashment of the First
Information Report bearing No. 129 of 2024 dated 03-03-2024
registered with Supa Police Station, Dist. Ahmednagar for the
commission of offences punishable under Sections 498-A, 323, 504

read with Section 34 of the IPC as well as consequent final report and registration Regular Criminal Case so also the order taking cognizance.

3. In this unique case though the husband and wife (non-applicant No.2) are residing together, the wife insisted to her counsel that the prosecution against the husband can be quashed but be continued against the other applicants. It is in this background and considering the material on record, prayer for quashment of First Information Report is required to be taken into consideration.

4. FIR No. 129/2024 dated 03-03-2024 was registered at the behest of Shubhangi with Supa Police Station, Dist. Ahmednagar for commission of offences punishable under Sections 323, 498-A & 504 read with Section 34 of the IPC against in all seven accused i.e. Sainath-husband, Suvarna-mother-in-law, Bhagyashree-Sister-in-law, Rajeshri-sister-in-law, Dhananjay-husband of Rajeshri, Tejshri-sister-in-law, Amol-husband of Tejshri. It is stated in the FIR that marriage of non-applicant No.2 was solemnized with accused No.1 i.e. Sainath.

5. It was alleged that in the Marriage ceremony parents of non-applicant No.2 have given household articles and gold ornaments. Though for initial period of one year in-laws had treated the non-applicant No.2 happily, but, thereafter, they used to harass

the non-applicant No.2 on the count that they were not given proper respect in the marriage. It was also alleged that when this fact was informed by non-applicant No. 2 to her parents they tried to convince the accused persons. Thereafter, for some days again non-applicant No. 2 was treated properly, but again demand of Rs.5 lakhs for purchase of Fortuner vehicle was made. When non-applicant No.2 told them that since the marriage was recently performed, her parents would not be in a position to pay the amount, all the applicants started ill-treating her mentally and physically on various counts.

6. It was alleged that non-applicant No.2 was ill-treated on count of non-performance of domestic work and she was kept starved. When non-applicant No. 2 narrated the demand of the accused persons to her parents, they shown their inability to meet the same and also told that they would try to convince the accused persons. In the meanwhile, non-applicant No. 2 was blessed with a child but all the accused persons continued to abuse the non-applicant No. 2 for not bringing the amount.

7. It was further alleged that on 17-06-2023 sister-in-laws and her husband visited the matrimonial house of the non-applicant No. 2 and said that non-applicant No. 2 has no skill of cooking food and does not know how to do the household work. They also

demanded amount of Rs.5 lakhs for purchasing the vehicle 'Fortuner' and all the accused persons assaulted her by means of fist and blows. It was alleged that in the First Information Report that parents of the non-applicant No. 2 along with mediator in the marriage, arranged meeting and tried to convince the accused persons.

8. On 11-10-2023 the non-applicant No. 2 was driven out by all accused persons and asked her to bring amount of Rs.5 lakhs for purchasing vehicle. She then lodged the complaint with the Women's Grievance Redressal Forum at Ahmednagar where the accused persons were called but, they refused to allow the non-applicant No.2 to cohabit. It is on the aforesaid ground the criminal law was set in motion.

9. Learned Advocate for the applicants submitted that though the non-applicant No. 2 and the husband are residing happily surprisingly with a vindictive attitude only non-applicant No.2 is saying that other applicants be prosecuted. He submitted that such revengeful attitude shows that criminal law was set in motion with malafide intention.

10. He submitted that conduct of the non-applicant No.2 is blame worthy since she had also lodged FIR bearing No. 1105/2023 dated 23-11-2023 with Parner Police Station, for commission of

offences punishable under Sections 327, 109, 323, 504 read with Section 34 of the IPC and Section 3 of the Maharashtra Prevention of Eradication of Human Sacrifice and Other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013 against the husband, mother-in-law, sister-in-law and others.

11. This FIR was challenged by the applicant Sainath and others by preferring the criminal application No.1687/2024 and on 07-03-2025 the application was allowed and FIR was quashed by this court. He submitted that in the order, this court observed that earlier to lodging of FIR No. 1105/2023 non-applicant No.2 had also filed Misc. Application No. 328/2023 against the eight accused persons on 03-11-2023 for commission of offences punishable under Sections 323, 324, 504, 506, 379 read with Section 34 of the IPC and Sections 3 of the Black Magic Act. He submitted that said Misc. Cri. Application was disposed off as non-applicant No.2 had filed pursis stating that she has no desire to proceed with the matter. The counsel for the applicants then submitted that non-applicant No. 2 is in the habit of filing various criminal cases and harassing the in-laws.

12. As already stated, learned advocate for the non-applicant No.2 has argued that the proceedings against the husband be quashed, but be continued against the other applicants. Said conduct on the part of the non-applicant No. 2 is blame worthy. So far the

allegations in the FIR are concerned, general allegations are made that all the applicants have demanded an amount of Rs.5 lakhs for purchasing the vehicle and on that count, she was subjected to the harassment. According to the case of the non-applicant No.2 she was driven out on 11-10-2023 and FIR was lodged on 03-03-2024.

13. Considering the aforesaid fact, it can be said that criminal law was set in motion not with a view to punish the guilty but to pressurize the in-laws. Further the material collected during the course of the investigation fails to disclose the prima facie case against the applicants. Continuation of the criminal prosecution, thus, would not be in the interest of justice. Therefore, following order is passed.

ORDER

a] The application is allowed.

b] The FIR bearing No.129 of 2024 dated 03-03-2024 registered with Supa Police Station, Dist. Ahmednagar for commission of offences punishable under Section 498-A, 323, 504 read with Section 34 of the IPC and consequential proceeding, if any, after submission of charge-sheet is hereby quashed and set aside to the extent of present applicants.

[RAJNISH R. VYAS, J.]