



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2207 OF 2024

1. Chetan s/o Kalyanrao Patil
2. Kalyanrao s/o Manikrao Patil
3. Shobha w/o Kalyanrao Patil
4. Ashwini w/o Audumbar Vaze ... Applicants
5. Anjali w/o Rajendra Biradar

VERSUS

1. The State of Maharashtra
Through Police Station officer,
MIDC Police Station, Latur
2. Priyanka w/o Chetan Patil ... Respondents

Mr. Rahul P. Cheble, Advocate for the Applicants

Mr. Rajdeep D. Raut, APP for Respondent No.1 State

Mr. Ravindra S. Shinde h/for Mr. V.T. Sakolkar, Advocate for Resp. No.2

CORAM : NEERAJ P. DHOTE, J.

Dated : 30th April, 2024.

PER COURT :-

1. This is an Application under Section 482 of the Criminal Procedure Code, 1973 for quashing the FIR bearing Crime No. 79/2024 registered with MIDC Police Station Latur, District Latur for the offences punishable under Sections 498-A, 323, 506 read with Section 34 of the Indian Penal Code, 1860, consequential R.C.C. No.524/2024 pending on the file of learned Judicial Magistrate, First Class, Latur and the order dated 16.04.2024 of issuance of summons against the Applicants.

2. Heard the learned Advocate for the Applicants, learned APP for Respondent No. 1- State and learned Advocate for Respondent No.2-informant. With their assistance, perused the papers on record.

3. The Application to the extent of Applicant No.1/husband-Chetan is already withdrawn as seen from the order dated 11.12.2024. It is submitted by the learned Advocate for the Applicants that, he will not press the application to the extent of Applicant No.3- Shobha.

4. It is the case of the prosecution that, Respondent No.2-Informant got married with Applicant/Accused No.1 on 14.05.2019. In the marriage, valuable items were presented. After the marriage, Respondent No.2-Informant went to reside with her husband. During her stay at matrimonial house, she was harassed by the accused persons. One year prior to the report, she came to her parent's house. A complaint was made with the Women Cell, which resulted the in-laws refused to take the Informant back to her matrimonial house. Eventually, the crime came to be registered.

5. On going through the F.I.R. it is clear that, omnibus and vague allegations are made against Applicant Nos. 2, 4 and 5, who are father-in-law and sisters-in-law respectively of the Informant. The F.I.R. lacks specific allegation against Applicant Nos. 2, 4 and 5. The other material on record do not make the prosecution case better against these applicants. The sisters-in-law i.e. Applicant Nos. 4 and 5 are

married and residing separately since the beginning. Asking them to face the trial on the basis of omnibus and vague allegations would amount to abuse of the process of law.

6. In the facts and circumstances of the case, the Application is allowed to the extent of Applicant No.2- Kalyanrao Manikrao Patil, Applicant No.4- Ashwini Audumbar Vaze and Applicant No.5-Anjali Rajendra Biradar. The F.I.R. bearing Crime No. 79/2024 registered with MIDC Police Station Latur, District Latur for the offences punishable under Sections 498-A, 323, 506 read with Section 34 of the Indian Penal Code, 1860, consequential R.C.C. No. 524/2024 pending on the file of learned Judicial Magistrate, First Class, Latur and order of issuance of summons dated 16.04.2024 are quashed and set aside to the extent of Applicant No.2 and Applicant No.4 and Applicant No.5. The Application stands disposed of as withdrawn to the extent of Applicant No.1-Chetan and Applicant No.3 -Shobha.

(NEERAJ P. DHOTE, J.)