



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

909 CRIMINAL APPLICATION NO. 2579 OF 2024

1. Vedeshwari w/o Dhananjay Chavan @
Vedeshwari d/o Ganpatrao Kadam
2. Om Ajapa w/o Anup Lakade @
Om Ajapa d/o Ganpatrao Kadam
3. Soham s/o Dhananjay Chavan ... Applicants

VERSUS

1. The State of Maharashtra
2. Deepika w/o Omrutudhwaj Kadam ... Respondents

Mr. S. V. Bhopi, Advocate for Applicants

Mr. S. M. Ganachari, APP for Respondent No.1 State

Mr. Kailas Hande h/for Mr. Vaibhav Dhage, Advocate for Respondent No.2

CORAM : NEERAJ P. DHOTE, J.

Dated : 10th June, 2026

PER COURT :-

1. This is an Application under Section 482 of the Criminal Procedure Code, 1973 for the following prayers:

"(A-1) Call Record & Proceedings of the case.

(B-1) Quash and set aside the final report/ charge-sheet dated 05.08.2024 arising out of Crime No. 177/2024 for the offence punishable u/s 498-A, 323,,324, 504,506 r/w 34 of I.P.C. registered with the Shivaji Nagar, Police Station, Dist. Nanded and the further proceedings in view of the chargesheet and for that purpose issue necessary order.

(B-2) Quash and set aside the order dated 12.08.2024 and summons dated 25.03.2025 issued by the learned JMFC, Nanded in RCC No.93/2024.

(C-1) Pending hearing and final disposal of this criminal application, grant stay to the further proceedings initiated on the basis of Crime No. 177/2024 registered with the Shivaji Nagar, Police Station, Dist. Nanded and further proceedings pending in R.C.C. No. 935/2024 and for that purpose issue necessary orders.

(D-1) Ad-interim relief in terms of prayer clause- C1 may kindly be granted.

(E)-1 Pass such further and other order as this Hon'ble High Court deems fit and proper."

2. The aforesaid crime is registered on the report lodged by Respondent No.2-Informant, who is sister-in-law of Applicant Nos. 1 and 2 and aunt of Applicant No.3. The Respondent No.2 was married to Accused No.1- Omrutudhwaj on 24.05.2020. After her marriage, she went to reside with her husband at Nanded. According to Respondent No.2, she was treated well for some period. She gave birth to a baby girl. Subsequently, she was subjected to harassment. From 07.07.2021 she was blamed by the accused persons for giving birth to the girl child. She was beaten and kept hungry. Rs.10 lakhs were demanded from her parents and since the demand was not met, she was driven out of the house.

3. 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.

4. The aforesaid crime is registered for the offences punishable under Sections 323, 498-A, 324, 504,506 r/w 34 of the Indian Penal Code against the husband and in-laws. Applicant Nos. 1 and 2 are the married sisters-in-law of Respondent No.2 and undisputedly, they are residing in different cities i.e. Hingoli and Satara, respectively. The Applicant No.3 is the son of Applicant No.1. The material on record shows that, the allegations levelled against the Applicants are completely vague and omnibus. There are no specific allegations against the Applicants. The Charge-sheet shows that, prior to registration of the aforesaid FIR, which is sought to be quashed, Accused No.1 i.e. husband of Respondent No.2 had filed FIR bearing No. 0438/2022 against the father of Respondent No.2 and one more with Shivaji Police Station, Nanded for the offences punishable under Sections 452, 323, 324, 504, 506 r/w 34 of the Indian Penal Code. Considering the case of the prosecution as against the Applicants, making them to face the trial on the basis of vague and omnibus allegation would amount to abuse of process of law. Thus, in my considered view, this a fit case to exercise the powers under Section 428 of Criminal Procedure Code in favour of the Applicants. Hence, the

following order:

O R D E R

The Application is allowed in terms of prayer Clauses (B-1) and (B-2) to the extent of the Applicants.

(NEERAJ P. DHOTE, J.)

JPChavan