



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

972 CRIMINAL WRIT PETITION NO.1155 OF 2025

1. Satyam Sandip Talegaonkar,
age 28 yrs, Occ. Doctor, serving
as Senior Resident Medical Officer,
R/o, 1955, Sadashiv Peth, Madiwale Colony,
Jagdamb Bangla, Pune 411 030. (Husband)
Petition stands dismissed as withdrawn as against petitioner no.1 vide order dt 27.2.2026.

2. Sandip s/o Parshuram Talegaonkar,
age 58 yrs, Occ. Lawyer/Business,
R/o, 1955, Sadashiv Peth, Madiwale Colony,
Jagdamb Bangla, Pune 411 030. (Father-in-law)

3. Rupa w/o Sandip Talegaonkar,
age 52 yrs, Occ. Business,
R/o, 1955, Sadashiv Peth, Madiwale Colony,
Jagdamb Bangla, Pune 411 030. (Mother-in-law)

4. Mr. Ashok Babanrao Ambilwade,
age 40 yrs, Occ. House helper,
R/o, 1955, Sadashiv Peth, Madiwale Colony,
Jagdamb Bangla, Pune 411 030. (House servant)
-Petitioners.

VERSUS

1. The State Of Maharashtra
through Investigating Officer,
Police Station, Mondha, Parbhani.
2. Madhura w/o Satyam Talegaonkar,
age 26 yrs, Occ. Doctor,
R/o C/o Mahesh Tehre, Shriram Nagar,
Datta Krupa Jewellers, Near Water Tank,
Parbhani, Tq. & Dist. Parbhani 431401.

-Respondents.

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Advocate for Petitioners : Mr. S.V. Deshmukh
APP for Respondents: Mr. K.B. Jadhavar
Advocate for Respondent-2 : Mr. M.M. Subhedar

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : February 27, 2026

FINAL ORDER :-

1. The petitioners seeks quashment of the FIR in Crime no. 335 of 2025 registered with Modha police Station, Tq. And District Parbhani, for the offences punishable under sections 85, 352, 351(3), 351(2), 3(5), 296, 115(2) of the BNS.

2. Investigation was set in motion on the basis of information given by respondent no.2 alleging that on 18.4.2024 she married with petitioner no.1 while she was pursuing her MD/PG at Medical College, Nashik. After marriage, she had been to Indonesia, at Bali alongwith her husband. She noticed that her husband had romantic conversation on mobile phone with a girl. When she asked about particulars of the said girl, she was told that she is Neha Babar (his friend), who had love affair with husband. Husband told her that he performed marriage with her only at instance of his parents. When she returned India, she went to her maternal home. On 29.06.2024, when she went back to matrimonial home, she had been to Singhgarh Fort alongwith petitioner no.1/husband, he insisted to open a joint account,

however, on her opposition, he abused her and asked for divorce and also teased her. On 8.10.2024 petitioner no.1 asked her to transfer an amount of Rs.6.00 Lakhs in bank account of her father-in-law. Since, she had no money, she transferred Rs.2.00 Lakh, but thereafter, she was abused for non-payment of full amount as demanded. Her husband was alleging that she has affair. On 1.12.2024 her in-laws visited her college at Nashik, and beaten her by fist and kicks blows and left the place saying that petitioner no.1 would marry with Neha Babar. Thereafter, when her parents visited informant, they were insulted and driven out of house. The petitioner no.4, who is servant with petitioner nos.1 to 3, he insulted and abused her parents.

3. Aforesaid information culminated into registration of the offence in Crime No.335 of 2025. The investigation progressed.

4. Mr. Shambhuraje Deshmukh, learned advocate appearing for petitioners, on instructions, seeks permission to withdraw this petition to the extent of petitioner no.1-Satyam Sandip Talegaonkar-Husband. Permission granted. Writ Petition stands **dismissed** as withdrawn to the extent of petitioner no.1-Husband.

5. Mr.Deshmukh learned advocate appearing for petitioners advanced his submissions for petitioners no.2 to 4. He submits that respondent no.2 had cohabitation with in-laws hardly for seven days after marriage. Immediately, she went to Indonesia and after return, she resided at Nashik for education purpose or with her parents. Petitioner no.1 husband issued a legal notice dated 21.4.2025 for divorce by mutual consent. Respondent no.2 replied the same on 10.6.2025, which shows that allegations in the FIR are false and afterthought. He would further submit that FIR has been delayed by almost seven months and the same is outcome of discord between respondent no.2 and petitioner no.1. Allegations in FIR are unspecific, omnibus and does not constitute offences as against petitioners. FIR is example of over-implication. The servant working at matrimonial home is also made accused.

6. Learned APP appearing for Respondent no.1/State and learned advocate appearing for respondent no.2 vehemently opposes the petition.

7. Having considered submissions advanced and on perusal of material in the charge-sheet, it is discernible that respondent no.2 had discord with husband immediately after marriage.

She stayed at matrimonial home for short duration of 8 to 10 days. Allegations in FIR are mostly against conduct of husband. So far as petitioner nos.2 to 4 are concerned, there are omnibus and general allegations. Even, taking contents of FIR as true and correct, no offence can be made out.

8. At this stage, reference can be given to the observations of the Supreme Court of India in case of **Kahkashan Kausar alias Sonam and Others Versus State of Bihar and Others** (2022) 6 SCC 599 wherein it has been observed by the Hon'ble Supreme Court in paragraph Nos.17 that -

17. "The above-mentioned decisions clearly demonstrate that this court has at numerous instances expressed concern over the misuse of section 498A IPC and the increased tendency of implicating relatives of the husband in matrimonial disputes, without analyzing the long term ramifications of a trial on the complainant as well as the accused. It is further manifest from the said judgments that false implication by way of general omnibus allegations made in the course of matrimonial dispute, if left unchecked would result in misuse of the process of law. Therefore, this court by way of its judgments has warned the courts from proceeding against the relatives and in-laws of the husband when no prima facie case is made out against them."

9. In the case of **Preeti Gupta and Another Versus State of Jharkhand and Another** (2010) 7 SCC 667, Hon'ble Supreme Court observed in para no. 30, 32 and 34 that-

30. It is a matter of common knowledge that unfortunately matrimonial litigation is rapidly increasing in our country. All the courts in our country including this Court are flooded with matrimonial cases. This clearly demonstrates discontent and unrest in the family life of a large number of people of the society.
32. It is a matter of common experience that most of these complaints under section 498-A IPC are filed in the heat of the moment over trivial issues without proper deliberations. We come across a large number of such complaints which are not even bona fide and are filed with oblique motive. At the same time, rapid increase in the number of genuine cases of dowry harassment are also a matter of serious concern.
34. Unfortunately, at the time of filing of the complaint the implications and consequences are not properly visualized by the complainant that such complaint can lead to insurmountable harassment, agony and pain to the complainant, accused and his close relations.”

10. In another case of **Geeta Mehrotra and Another Versus State of Uttar Pradesh and Another** (2012) 10 SCC 74, Hon’ble Supreme Court observed in para no. 25 that-

25. However, we deem it appropriate to add by way of caution that we may not be misunderstood so as to infer that even if there are allegations of overt act indicating the complicity of the members of the family named in the FIR in a given case, cognizance would be unjustified but what we wish to emphasize by highlighting is that, if the FIR as it stands does not disclose specific allegation against accused more so against the co-accused specially in a matter arising out of matrimonial bickering, it would be clear abuse of the legal and judicial process to mechanically send the named accused in the FIR to undergo the trial unless of course the FIR discloses specific allegations which would

persuade the court to take cognizance of the offence alleged against the relatives of the main accused who are prima facie not found to have indulged in physical and mental torture of the complainant-wife. It is the well settled principle **laid down in** cases too numerous to mention, that if the FIR did not disclose the commission of an offence, the court would be justified in quashing the proceedings preventing the abuse of the process of law. Simultaneously, the courts are expected to adopt a cautious approach in matters of quashing specially in cases of matrimonial dispute whether the FIR in fact discloses commission of an offence by the relatives of the principal accused or the FIR prima facie discloses a case of over-implication by involving the entire family of the accused at the instance of the complainant, who is out to settle her scores arising out of the teething problem or skirmish of domestic bickering while settling down in her new matrimonial surrounding.

11. Applying aforesaid principles of law to the facts of the case, and keeping in mind the nature of allegations in FIR, this appears to be case of over implication, whereby all family members are implicated from husbands side including the servant. In result, case is made out to exercise inherent powers under section 482 of the Criminal Procedure. In result, following order is passed.

O R D E R

- i. Criminal Writ Petition stands **dismissed** as withdrawn vide order dated 27.2.2026 against petitioner no.1-husband.
- ii. Criminal Writ Petition is allowed in terms of “A” to the extent of petitioner nos.2 to 4 only.

iii. Criminal Writ petition stands **disposed of**.

(S. G. CHAPALGAONKAR, J.)

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