

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3515 OF 2025

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| 1. | Mala Awadhbihari Bharadwaj | |
| 2. | Rausham A. Bharadwaj | |
| 3. | Awadh B. Bharadwaj | ...Petitioners |
| | V/s. | |
| 1. | Shruti Raushan Bhardwaj | |
| 2. | Sanskriti R. Bharadwaj | |
| 3. | State of Maharashtra | ...Respondents. |

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Ms Kalyani Mangave for the Petitioners.

Ms Aarti Pandey for Respondent No.1.

Ms S.G. Talhar, APP for the Respondent/State.

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CORAM : N.R. BORKAR, J.
DATE : 22.04.2026.

P.C. :

1. Respondent No.1 herein has filed an application against the petitioners before the court of Judicial Magistrate First Class, Cantonment Pune under the provisions of the Protection of Women from Domestic Violence Act, 2025 for various reliefs. By order dated 21st June 2023, the learned Magistrate has issued the summons to the present petitioners. The present petition is filed to quash the said proceedings.

2. I have heard the learned counsel for the petitioners and the learned counsel for the contesting respondent No.1.

3. Learned counsel for the petitioners submits that this Court by order dated 11th February 2026 in Criminal Application No.1169

of 2025 has quashed the First Information Report (FIR) lodged by the respondent No.1 herein for the offences punishable under Sections 498(A), 506, 504 and 323 read with Section 34 of the Indian Penal Code, 1860. It is submitted that this Court while quashing the FIR has observed that the respondent No.1 has not described any particular instance of harassment, including details of time, date and place or manner in which the alleged harassment occurred. It is submitted that this court has further observed that no particulars have been provided regarding any alleged dowry-related harassment after marriage. It is submitted that the allegations made in the FIR and in the application filed by respondent No.1 under the provisions of Domestic Violence Act are inconsistent. It is submitted that afterthought allegations are made, which is sheer abuse of process of law. It is submitted that thus the proceedings filed by the respondent No.1 against the petitioners needs to be quashed.

4. On the other hand, learned counsel for contesting respondent No.1 submits that quashing of FIR under Section 498 A of the IPC will have no bearing on the proceedings filed by respondent No.1 under the provisions of Protection of Women from Domestic Violence Act, 2025. It is submitted that whether the allegations in the FIR and the application are inconsistent or not is a matter of trial. It is therefore submitted that the petition be dismissed.

5. I have gone through the application. It is not the case of the petitioners that there are no allegations of domestic violence against them. The Hon'ble Supreme Court in ***Shaurabh Kumar Tripathi vs. Vidhi Rawal***¹ has held that proceedings under the DV Act are predominantly of a civil nature. The High Court can exercise the power under the second part of Section 482 to prevent abuse of the process of any court or to secure the ends of justice. Just because this Court has quashed the FIR for the offences punishable under Section 498-A of the I.P.C. that by itself is not sufficient to conclude the proceedings filed by respondent No.1 under the DV Act are abuse of the process of the Court, especially when there are allegations of domestic violence. Thus there is no merit in the present petition and the same is dismissed.

[N.R.BORKAR, J.]

¹ Cri. Appeal No.2688 of 2025 decided on 19/05/2025.