



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 966 OF 2024

1. Ravi s/o Shankar Shinde
Aged : 34 Years, Occu : Business; R/o Near
Hanuman Mandir, Navin Pusad, Pusad,
Taluka Pusad, District Yavatmal.
2. Shankar Devidas Shinde
Age : 63 Years, Occu : Retired; R/o Near
Hanuman Mandir, Navin Pusad, Pusad,
Taluka Pusad, District Yavatmal.
3. Nanda Shankar Shinde
Age : 50 Years; Occu : Household; R/o Near
Hanuman Mandir, Navin Pusad, Pusad,
Taluka Pusad, District Yavatmal.
4. Ganesh Shankar Shinde
Aged : 31 Years, Occu : Service; R/o Near
Hanuman Mandir, Navin Pusad, Taluka
Pusad, District Yavatmal.
5. Kiran w/o Praful Tamaskar
Aged : 32 Years, Occu : Household; R/o
Near Hanuman Mandir, Gandhi Nagar,
Pusad, Taluka Pusad, District Yavatmal.
6. Praful Bheemrao Tamaskar
Aged : 38 Years, Occu : Service; R/o Near
Hanuman Mandir, Gandhi Nagar, Pusad,
Taluka Pusad, District Yavatmal.

... APPLICANTS

VERSUS

1. The State of Maharashtra
Through its P. I. Police Station, Pusad,
District Yavatmal.
2. Aboli w/o Ravi Shinde
Aged : 22 Years, Occu : Household; R/o At
present Balaji Lashkman Pawar House, Moti
Nagar, Pusad, Tahsil Pusad, District
Yavatmal.

AND

Near Hanuman Mandir, Navin Pusad,
District Yavatmal.

... RESPONDENTS

Mr. Shaikh Mohd. Rizwan, Advocate for Applicants.
Mr. R. S. Suryawanshi, Advocate for Respondent No.2.
Ms. D. I. Charlewar, APP for Respondent No.1/State.

CORAM : PRAVIN S. PATIL, J.

DATE : JANUARY 20, 2026.

ORAL JUDGMENT

. Heard. **Rule.** Rule made returnable forthwith. Heard finally by
consent of the learned Counsel for both sides.

2. The Applicant No.1 is husband and Applicant Nos.2 to 6 are
father-in-law, mother-in-law, brother-in-law and sister-in-law of the

Respondent No.2. The Applicants have challenged registration of the Regular Criminal Case No. 347/2024 pending on the file of Judicial Magistrate First Class, Pusad and Chargesheet No. 388/2024 dated 8/7/2024 arising out of Crime No. 822/2023 for the offence punishable under Sections 498-A read with Section 34 of Indian Penal Code registered with Police Station, Pusad, District Yavatmal.

3. It is submitted by the Applicants that even though the allegations which are levelled against the Applicants by the Respondent No.2 are taken at its face value and accepted in entirety, no case is made out under Section 498-A of Indian Penal Code. Therefore, the Applicants sought quashment of the proceeding which was registered against the present Applicants.

4. The learned APP has strongly opposed the allegations and pointed out that specific allegations were made by the Respondent No.2 in her complaint and the evidence which was collected during investigation. It is stated that the allegations which are made by the Respondent No.2 that she was subjected to illtreatment at the hands of present Applicants on the point of dowry and there was continuous demand of four wheeler vehicle, found to be correct during investigation. It is also alleged that Respondent No.2 was not

permitted to come out from house and main door of house was always kept closed by the Applicants. Hence, considering these allegations, according to the Respondent No.2, no case is made out for interference in the matter.

5. The Applicants have pointed out from the chargesheet that Applicant No.1 is engaged in profession of tailoring and he runs tailoring shop in the name and style as “Shinde Tailor”. Therefore, according to him, if he is running tailoring shop, it is unbelievable that he used to close the shutter of the house all time. Therefore, the allegations made by the Respondent No.2 in the complaint is *prima facie* incorrect. As far as demand of dowry and four wheeler is concerned, it is the submission of the Applicants that allegations made in the complaint are general and omnibus in nature.

6. It is the case of the Applicants that marriage of the Applicant No.1 and Respondent No.2 was solemnized on 19/11/2022. Thereafter she was residing with the Applicant No.1’s family. But she nowhere stated as to when the said demand was made by the Applicants, more particularly, by the Applicant Nos.2 to 6. To attract the offence under Section 498-A of IPC, the allegations are necessary to be concrete and precise and also it is necessary to

point out date, time and details of the alleged allegations. However, no such details are found place in the matter.

7. It is further pertinent to note that in the present case whole family of the Applicant is entangled by the Respondent No.2, though there are no specific allegations against them. Hence, it is clear that just there is a tendency of woman to implicate all family members in criminal offence due to matrimonial discord, here Applicant Nos.2 to 6 are intentionally arraigned as accused in the present matter.

8. It is pertinent to note that the allegations which are levelled against the Applicants in the complaint seems to be afterthought with an oblique motive to implicate all the family members in the offence. Therefore, in my opinion, the offence under Section 498-A IPC is not attracted against the relatives of the Applicant No.1 in the matter.

9. On perusal of FIR and the documents, which were collected by the Investigating Officer, at the most the allegations found to be against the husband only, hence the prosecution can be continued against the Applicant No.1/husband and not all the family members, who are implicated without

any specific allegations against them. Hence, for the aforesaid reasons, I proceed to pass following order.

ORDER

1. Criminal Application is partly allowed.
2. Regular Criminal Case No. 347/2024 pending on the file of Judicial Magistrate First Class, Pusad and Chargesheet No. 388/2024 dated 8/7/2024 arising out of Crime No. 822/2023 for the offence punishable under Sections 498-A read with Section 34 of Indian Penal Code registered with Police Station, Pusad, District Yavatmal against the Applicant Nos.2 to 6 is hereby quashed and set aside.
3. It is made clear that proceeding bearing Regular Criminal Case No. 347/2024 shall remain continued against the Applicant No.1.
4. Rule is made absolute in above terms. No order as to costs.

[PRAVIN S. PATIL, J.]