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

CRIMINAL APPLICATION (APL) NO.242 OF 2025

1. Abrar Ahmed Shaikh Mukhtar (Husband of N.A.No.2)
(Wrongly named in FIR as
Sheikh Abrar Sheikh Mukhtar,
Aged about: 42 Years,
Occupation : Teacher.
2. Sheikh Israr Ahmed Sheikh (Brother-in-law)
Mukhtar, Aged About: 28 Years,
Occupation : Student.
3. Smt. Maleka Asgari Sheikh Altaf, (Sister-in-law and her husband)
Aged about: 39 Years,
Occupation : Household.
4. Sheikh Altaf Shaikh Bakshu, (Sister-in-law and her husband)
Aged about: 48 Years,
Occupation : Mechanic.
5. Sumaiya Yasmeen Ameen Khan, (Sister-in-law and her husband)
Aged about : 37 Years,
Occupation : Household.
6. Amin Khan Ameer Khan, (Sister-in-law and her husband)
Aged about : 43 Years,
Occupation : Business.
7. Humama Khanam Abdul Faheem, (Sister-in-law and her husband)
Aged about : 35 Years,
Occupation : Household.
8. Abdul Faheem Abdul Qayum, (Sister-in-law and her husband)
Aged about: 35 Years,
Occupation : Labour.
9. Huzefa Anjum Sheikh Salman, (Sister-in-law and her husband)
(Wrongly named in FIR as
Samreen Firdos Sheikh Salman)
Aged about: 33 Years.,
Occupation : Household.
10. Shaikh Salman, (Sister-in-law and her husband)

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Aged about : 35 Years,
Occupation : Labour.

11. Sayyad Mumtaz Sayyad Muneer,
[Father and brother of the first
wife of Applicant No.1]
Aged about : 67 Years,
Occupation : Nil.
12. Sayyad Mansoor Akhtar Sayyad
Mumtaz, Aged About: 41 Years,
Occupation : Teacher.
(Father and brother of the first
wife of Applicant No.1).
13. Sayed Mushtaque Sayed Ishaque,
(Wrongly named in FIR as
Mohd. Mushtaq Mohd. Issak)
Aged about: 48 Years,
Occupation : Teacher,

(Her maternal Uncle-in-law)

Applicants no. 1 and 2 are
R/o- Balochpura, Tahsil : Balapur,
District Akola.

Applicants no.3 and 4 are
R/o- Khamgaon, Tahsil - Khamgaon,
District - Buldhana.

Applicants no.5 and 6 are
R/o- Devullghat, District Buldhana.

Applicant no. 7 and 8 are
R/o- Balochpura, Balapur,
Tahsil and District Akola.

Applicant no. 9 and 10 are
R/o-Sindhkhedraja, District Buldhana.

Applicants no.11 and 12 are
R/o-Tahsil Malegaon, District Washim.

While applicant no. 13 is
R/o-Bagwanpura, Washim.

.... APPLICANTS**// VERSUS //**

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1. State of Maharashtra, Through
Police Station Officer,
Police Station- Risod,
District Washim.
2. Shagufta Akhtar Sheikh Abrar,
Aged about 40 Years,
Occupation : Service,
R/o- Mulla Gali, Risod,
Tahsil Risod,
District Washim.

....NON-APPLICANTS

Mr. J. R. Rathor, Advocate for applicants.
Mr. A. M. Joshi, APP for non-applicant No.1/State.
Mr. M. N. Ali, Advocate for non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 12/02/2026

ORAL JUDGMENT :

1. Heard.
2. **Admit.**
3. Heard finally with the consent of the learned Counsel
for the applicants, learned APP for the non-applicant No.1/State
and learned counsel for the non-applicant No.2.
4. The present applicants are the husband and the
relatives of the husband of the non-applicant No.2, approached
this Court for quashing of the FIR in connection with Crime
No.515/2022 registered with Police Station Risod, District
Washim for the offence punishable under Sections 498-A, 323,
504 and 506 read with Section 34 of the Indian Penal Code and

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consequent proceeding arising out of the same bearing RCC No.124/2023 pending before the Judicial Magistrate First Class, Risod.

5. The crime is registered on the basis of a report lodged by the non-applicant No.2 on an allegation that her marriage with the applicant No.1 was performed on 20.12.2020. After marriage, she resumed the cohabitation at the house of the present applicants. Applicant Nos.1 to 8 were residing along with her and her husband was serving as a teacher. It is alleged by her that she is also serving as a teacher. The present applicants have obtained her passbook, ATM card and thereafter, she was ill-treated by demanding the amount of Rs.10,00,000/- by obtaining the loan on her salary. It is further alleged by her that she was ill-treated as she could not conceive also. So, for various reasons, there was ill-treatment at the hands of the present applicants and therefore, she constrained to leave the matrimonial house. On the basis of the said report, police have registered the crime against the present applicants.

6. After registration of the crime, investigation was carried out and various statements are recorded and after completion of the investigation, the charge sheet was submitted.

7. Heard learned counsel for the applicants, who submitted that merely because the dispute arose between the

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husband and wife, the FIR came to be lodged. He submitted that except the vague, general and omnibus allegations, there are no specific instances narrated as far as the demand is concerned or the ill-treatment at the hands of the present applicants. He submitted that some of the applicants are never resided along with the non-applicant No.2. He submitted that applicant Nos.12, 13 are the distant relatives, they are residing at their respective places. They are also implicated in the alleged offence. Thus, on the basis of general, omnibus and vague allegations, they are implicated and forcing them to face the trial would be an abuse of the process of law.

8. Learned APP strongly opposed the said contention and submitted that considering the detailed FIR lodged by the non-applicant No.2, sufficient to attract the offence punishable under Section 498-A of IPC.

9. Learned Counsel for the non-applicant No.2 also endorsed the same contention.

10. On hearing both sides and on perusal of the entire investigation papers, it reveals that the applicant No.1 is the husband and applicant Nos.2 to 9 are the sister-in-laws and the other applicants are the distant relatives. On perusal of the recitals of the FIR, it reveals that though the non-applicant No.2 has alleged that the present applicants have ill-treated her on

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the demand of Rs.10,00,000/-, however, no specific instances are narrated as far as the demand is concerned, or ill-treatment at the hands of the present applicants. As far as the husband is concerned, against whom the specific allegations are levelled regarding the demand of an amount i.e. on 13.06.2022 and thereafter, time to time. However, the other applicants are concerned, admittedly, on the basis of general, omnibus and vague allegations, they are implicated. Now it is well settled that mere reference of the names of the relatives of the husband without specifying any specific instance shall be nipped into the bud.

11. Considering the nature of the allegations levelled against the applicant Nos.2 to 13, no *prima facie* case is made out and there appears to be their implication merely because they are the relatives of the husband. Thus, considering the nature of the allegations levelled against them, no *prima facie* case is made out and hence, application deserves to be allowed partly. Accordingly, I proceed to pass following order:

ORDER

(i) The application is **allowed partly**.

(ii) The FIR in connection with Crime No.515/2022 registered with Police Station Risod, District Washim for the offence punishable under Sections 498-A, 323, 504 and 506 read with Section 34 of the Indian Penal Code and consequent proceeding arising out of the same

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bearing RCC No.124/2023 pending before the Judicial Magistrate First Class, Risod, are hereby quashed and set aside to the extent of the applicant Nos.2 to 13.

(iii) The prayer of the applicant No.1 for quashing of the FIR is hereby rejected.

The application is disposed of.

(URMILA JOSHI-PHALKE, J)

Sarkate.