



(1)

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

CRIMINAL APPLICATION (APL) NO.556 OF 2025

1. Maltibai w/o Ramesh Lad,
(mother-in-law)
Aged about 58 Years,
Occupation : Household,
R/o. Dnyanpeeth Convent Road,
Avasthi Layout,
Mothi Umri, Akola,
Taluka and District Akola.
2. Ashish Ramesh Lad,
(Brother-in-law)
Aged about 34 Years,
Occupation : Service
R/o. Dnyanpeeth Convent Road,
Avasthi Layout, Moti Umri,
Akola, Taluka and District Akola.
3. Shweta Narendra Bari,
(Sister-in-law)
Aged about 40 Years,
Occupation : Household,
R/o. Sirsoli, Jalgaon Khandesh,
Taluka Jalgaon, District Jalgaon.

.... APPLICANTS

// VERSUS //

1. The State of Maharashtra,
Through Police Station Officer,
Police Station, Buldhana Shahr,
Taluka and District Buldhana.
2. Manisha Kamlesh @ Sushil Lad,
Aged about 44 Years,
Occupation : Household,
R/o. Vidarbha Housing Society,
Near Shivaji High School, Buldhana,
Taluka and District Buldhana.

....NON-APPLICANTS

Mr. Ayush Sharma, Advocate for applicants.

Ms. R. V. Sharma, APP for non-applicant No.1/State.

(2)

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 18/03/2026

ORAL JUDGMENT :

1. Heard.

2. **Admit.**

3. Heard finally with the consent of the learned Counsel for the applicants and learned APP for the State.

4. Despite the service of notice, none appears for the non-applicant No.2.

5. By this application, the applicants are seeking quashing of the FIR as well as the charge sheet in connection with Crime No.725/2022 registered with Police Station Buldhana City, District Buldhana for the offence punishable under Sections 498A, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

6. The present application is preferred by the mother-in-law, sister-in-law and brother-in-law for quashing of the FIR. As the crime is registered on the basis of a report lodged by the non-applicant No.2 against them. As per the allegations, the marriage of the non-applicant No.2 with the son of the applicant No.1 was performed on 12.05.2019. After marriage, she resumed cohabitation at the house of the present applicant No.1. The applicant No.1 was residing along with her son as well as

(3)

husband. After marriage, she was taunted for giving the less amount of dowry and for various reasons. It is further alleged that in the year 2019, at the time of Navratri, she was confined by her in-laws for 9 days. It is further alleged by her that at the time of the Diwali festival, the applicant No.3 visited her house and she has also ill-treated her. On the basis of the said report, police have registered the crime against the present applicants.

7. Heard learned counsel for the applicants, who submitted that on the basis of general, omnibus and sweeping allegations, the present applicants are implicated only because they are the relatives of the husband of the non-applicant No.2. He submitted that even accepting the allegation as it is, no willful conduct is apparent on the part of the present applicants. Moreover, the applicant Nos.2 and 3 are residing at Jalgaon which is more than 400 km from the residence of the non-applicant No.2, no specific instances are narrated as far as their involvement is concerned. In view of that, the application deserves to be allowed.

8. Per contra, learned APP strongly opposed the said contention and submitted that the specific allegations are levelled against the present applicants, and therefore, the application deserves to be rejected.

(4)

9. On hearing both sides and on perusal of the entire investigation papers, it reveals that she has narrated the incident, attributing the role to her husband as well as mother-in-law and father-in-law. As far as the present applicant Nos.2 and 3 are concerned, except the reference of their names, there is nothing on record to show the specific instances showing that they have visited the matrimonial house of the non-applicant No.2 and ill-treated her.

10. For the purpose of Section 498A cruelty means any willful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman. There is no doubt that the object of introducing Chapter XXA containing Section 498A of the Indian Penal Code was to prevent the torture to a woman by her husband or by relatives of her husband. Section 498A was added with a view to punishing a husband and his relatives who harass or torture the wife to coerce her or her relatives to satisfy unlawful demands for dowry. In any event the willful act or conduct ought to be the proximate cause in order to bring home the charge under Section 498A of IPC, which is absent as far as the applicant Nos.2 and 3 are concerned. It is apparent that their names are mentioned only because they are the relatives of the husband of the non-applicant No.2. As far as the applicant No.1 is concerned,

(5)

against whom the specific instances and specific allegations are levelled and therefore, the application of the applicant No.1 deserves to be rejected. Accordingly, I proceed to pass following order:

ORDER

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

(ii) The FIR in connection with Crime No.725/2022 registered with Police Station Buldhana City, District Buldhana for the offence punishable under Sections 498A, 323, 504 and 506 read with Section 34 of the Indian Penal Code and consequent proceeding arising out of the same bearing RCC No. 757/2022, are quashed and set aside to the extent of the present applicant Nos.2 and 3.

(iii) The prayer of the applicant No.1 - **Maltibai w/o Ramesh Lad** for quashing of the FIR is hereby rejected.

The application is disposed of.

(URMILA JOSHI-PHALKE, J)