



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO. 790 OF 2025

1. **Ramesh s/o Laxman Bore**

Aged about 70 years,
Occupation : Nil

APPLICANTS

2. **Usha w/o Ramesh Bore**

Aged about 65 years,
Occ. Housewife,

3. **Ritesh s/o Ramesh Bore**

Aged about 41 years.
Occ:- Private

All 1 to 3 R/o Satifail,
Khamgaon

4. **Padma w/o Bhikaji Bhagwat**

Aged about 68 years,
Occ:- Housewife,
R/o-Ghatpuri Road, Khamgaon

5. **Chhaya w/o Suresh Tikhile,**

Aged about 60 years,
Occ:- Housewife,
R/o-Shegaon Naka, Amravati

// V E R S U S //

1. **The State of Maharashtra,**
Through Police Station Officer,
Police Station Shivaji Nagar,
Khamgaon, Dist. Buldhana

NON-APPLICANTS

2. **Deveshree w/o Anup Taile**

Aged about 31 years, Occ.
Doctor, R/o- C/o Ashok Khedkar,
Near Shitla Mata Mandir, Satalpura
Khamgaon - 444303

Mr. A.R. Ingole, Advocate for the applicants.

Mr. Nikhil Joshi, APP for non-applicant No.1 /State.

CORAM : URMILA JOSHI PHALKE, J.

DATED : 18.02.2026

ORAL JUDGMENT :

1. Heard.
2. **ADMIT.** Taken up for final disposal with the consent of learned counsel for the parties.
3. The present application is preferred by the nearest relatives of husband of non-applicant No.2 for quashing of the First Information Report in connection with crime No.245/2024 registered at Police Station Shivaji Nagar, Khamgaon District Buldhana for the offences punishable under Sections 85, 351(2), 3(5) and 115(2) of the Bharatiya Nyaya Sanhita, 2023.
4. The crime is registered on the basis of report lodged by non-applicant No.2 on an allegation that her marriage was performed with Anup Taile on 07.02.2023. After marriage she resumed the co-habitation at the house of present applicants but she was ill treated by the present applicants by demanding the amount and by physically and mentally ill treating her. On the

basis of the said report police have registered crime against the present applicants.

5. Heard learned counsel for the applicants who submitted that as far as the present applicants are concerned who are nearest relatives. Except the reference of their names, there is no specific allegations against them. No specific instances are narrated as far as ill treatment or demand at their hands is concerned. Thus, on the basis of general, omnibus and vague allegations they are implicated in the alleged incident. In view of that, no prima-facie case is made out against the applicants. Hence FIR deserves to be quashed.

6. Despite the notice non-applicant No.2 denied to accept the notice and notice is refused.

7. Per contra, learned APP strongly opposed the said contention and submitted that considering the allegations levelled in the FIR it reveal that she was not only ill treated physically and mentally but there was an unlawful demand also. In view of that, application deserves to be rejected.

8. After considering the rival submissions of both the parties and on perusal of the entire investigation papers, it reveals that the present applicants who are the in-laws, and the nearest relatives of the husband of the non-applicant No.2. Except the reference of their names no specific instances or no specific allegations are levelled against them. It is now well settled that mere reference of the names of the relatives without assigning any role or specific instances indicating the ill treatment at their hands would not be sufficient to attract the offence punishable under Section 85 of the BNS. In view of that the application deserves to be allowed.

9. Hence, I proceed to pass the following order:-

ORDER

- (i) The Criminal Application is allowed.
- (ii) The First Information Report in connection with crime No.245/2024 registered at Police Station Shivaji Nagar Khamgaon District Buldhana for the offences punishable under Sections 85, 351(2), 3(5) and 115(2) of the Bharatiya Nyaya Sanhita, 2023 is quashed and set aside to the extent of applicant Nos.1 to 4 namely Ramesh s/o

Laxman Bore, Usha w/o Ramesh Bore, Ritesh s/o Ramesh Bore, Padma w/o Bhikaji Bhagwat and Chhaya w/o Suresh Tikhile.

10. The criminal application stands disposed of in the above said terms.

Pending applications, if any, also stand disposed of.

(URMILA JOSHI PHALKE, J.)

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