



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

CRIMINAL APPLICATION (APL) NO. 804 OF 2025

1. Balu Maroti Manware,
Aged about 64 years, Occ: Labour,
 2. Durga W/o Balu Manware,
Aged about 58 years, Occ: Labour,
 3. Dinesh S/o Balu Manware,
Aged about 37 years, Occ: Private,
All applicants are R/o at Post Kavitha
Bk. Tah. Achalpur, Dist. Amravati.
- APPLICANTS**

Versus

1. State of Maharashtra,
Thr. the Police Station Officer, Police
Station Ajni, Tah. and Dist. Nagpur.
 2. Sukheshni W/o Amit Manware,
Aged about 34 years, Occ: Private,
R/o C/o Shimon Kherkar, Plot
No.343, near Douglas Memorial
Children Home, Wanjari Nagar,
Nagpur, Tah. and Dist. Nagpur.
- NON-APPLICANTS**

Mr. S.S. Bhalerao, Advocate for the Applicants.
Ms. R.V. Sharma, APP for the Non-applicant No.1/State.
Ms. R.D. Katole, Advocate h/f Mr. Mohd. A. Qureshi, Advocate
for the Non-applicant No.2.

CORAM : URMILA JOSHI PHALKE, J.

DATED : 23rd MARCH, 2026.

ORAL JUDGMENT :-

1. Heard.

2. **ADMIT.** Heard finally by the consent of learned Counsel for the respective parties.

3. The present Application is preferred by the Applicants under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, for quashing of the First Information Report in connection with Crime No.126/2025 registered with Police Station Ajni, District Nagpur for the offence punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code (for short "IPC") and consequent proceeding arising out of the same bearing R.C.C. No.3233/2025 pending on the file of 2nd Additional Chief Judicial Magistrate, Nagpur.

4. Heard learned Counsel for the Applicants, who submitted that, the Applicant Nos. 1 and 2 are the in-laws and the Applicant No.3 is the brother-in-law. The crime is registered

on the basis of a report lodged by the Non-applicant No.2 on an allegation that her marriage was performed with the son of the Applicant Nos.1 and 2 in the year 2022. After marriage she resumed the cohabitation but after marriage she came to know that her husband-Amit is already married and thereafter her husband started harassing her. She has disclosed the said incident to her in-laws i.e. the Applicant Nos. 1 and 2 but they have convinced her that after delivery there would be change in the behaviour of their son. However, there was no change in the conduct of the son of the present Applicant Nos. 1 and 2 and he started physically and mentally harassing her and he has physically assaulted her, and therefore, she constrained to leave the matrimonial house and lodged this FIR. It is submitted by the learned Counsel for the Applicants that, considering the allegations levelled against the present Applicants, which are general, omnibus and vague in nature. No specific instances are narrated as far as the harassment at their hands are concerned. He submitted that, merely because they are the relatives of the husband, they are implicated in the alleged offence, and therefore, the Application deserves to be allowed.

5. *Per contra*, learned APP and learned Counsel for the Non-applicant No.2, strongly opposed the said contention and submitted that considering the statements of the witnesses which shows the involvement of the present Applicants in the alleged offence. In view of that, the Application deserves to be rejected.

6. After hearing both the sides and on perusal of the entire investigation papers it reveals that, no specific instances are narrated as far as the harassment at the hands of the present Applicants are concerned. Except the statement that in May 2024, the present Applicants had been to her parents house and abused her. There is no allegation as to the physical or mental harassment at the hands of the present Applicants. It is apparent that, they are implicated merely because they are the relatives of the husband of the Non-applicant No.2. Now, it is well settled that, mere reference of the names of the relatives of the husband, is not sufficient to attract the offence punishable under Section 498-A of IPC in absence of any specific instances narrated by the Non-applicant No.2. In view of that, the

Application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- i. Criminal Application is **allowed**.
 - ii. The First Information Report in connection with Crime No. 126/2025 registered with Police Station Ajni, District Nagpur for the offence punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code and consequent proceeding arising out of the same bearing R.C.C. No.3233/2025 pending on the file of 2nd Additional Chief Judicial Magistrate, Nagpur, are hereby quashed and set aside to the extent of the present Applicants.
7. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI PHALKE, J.)