



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

CRIMINAL APPLICATION (APL) NO. 1054 OF 2025

APPLICANTS :

1. Shri Gautam S/o Surendra Pradhan,
Aged about 42 years,
Occ : Service.
2. Shri Surendra S/o Dattatraya Pradhan
Aged about 75 years, Occ: Retired.
3. Smt. Nanda W/o Surendra Pradhan,
Aged about 69 yeas, Occ : Household

All R/o Flat No/A-2, Sahayadri Flats,
Cement Road, Shivajinagar, Nagpur
Tahsil & District Nagpur.

Presently Applicant No.1 is residing at
Flat No.205, Second Floor, situated
Melody Apartment Jule, Solapur,
Tahsil and District Solapur.

VERSUS

RESPONDENTS :

1. State of Maharashtra
Through Police Station Officer,
P. S. Warora, District Chandrapur.
2. Smt. Sonali W/o Gautam Pradhan
Aged about 37 years, Occupation :
Service, Resident of C/o Smt. Chitra
Vilasrao Padole, R/o. Gurumauli
Nagar, Borda Anandwan,
Tahsil Warora, District Chandrapur.

Shri R. M. Daga, Advocate for applicants.

Shri N. B. Jawade, Additional Public Prosecutor for non-applicant No.1.

Shri Anup Dhore, Advocate for non-applicant No.2

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 17/02/2026.

ORAL JUDGMENT :

1. Heard. **Admit.** Heard finally with the consent of learned counsel appearing for the parties.

2. By this application, the applicants are seeking quashing of FIR in connection with Crime No.286/2025 registered under Sections 3(5) and 85 of the BNSS, 2023.

3. The applicants are the husband and in-laws. A crime is registered on the basis of report lodged by the non-applicant No.2 on an allegation that her marriage with the applicant No.1 was performed on 22/06/2022. After marriage, she resumed the cohabitation at the house of the present applicants. She is having one son from her first marriage and she is having the other son from the said marriage. It is alleged that after marriage, her son Soham was also ill-treated by the present applicants and applicant No.1 has physically and mentally tortured by abusing her and assaulting her and other applicants were instigating him. On the basis of said report, police have registered a crime against the applicants.

4. Heard learned counsel for the applicants who submitted that on the basis of general, omnibus and vague

allegations, the applicants are implicated in the alleged offence. She submitted that even accepting allegation as it is, no offence is made out against the present applicants, as there are no specific instances narrated as far as the present applicants are concerned. She submitted that merely because the dispute arose between the husband and wife, this false report came to be lodged against the present applicants. In view of that, application deserves to be allowed.

5. Per contra, learned APP and learned counsel for the non-applicant No.2 submitted that there are specific allegations as far as the husband is concerned who has physically and mentally tortured the non-applicant No.2. They have not only tortured her but tortured her son also and by considering all these allegations, application deserves to be rejected.

6. On hearing both the sides and on perusal of the entire investigation papers as well as the recitals of the FIR, it reveals that after marriage, the non-applicant No.2 resumed cohabitation. She was earlier married with Dipak Khode and from the said marriage, she is having one son by name Soham. She alleged that as said son Soham was residing along with her, he was also ill-treated by the present applicants. She has specifically narrated that

her husband was physically and mentally torturing her. Thus, as far as the applicant No.1 is concerned, there is specific allegation against him as to the ill-treatment but the applicant Nos.2 and 3 against whom the general, omnibus and vague allegations are levelled only mentioning their names. As far as the specific instances regarding ill-treatment at their hands is concerned, which is absent in the recitals of the FIR. Thus, considering the nature of allegations levelled against the applicant Nos.2 and 3, no prima facie case is made out against them. In view of that, application deserves to be allowed partly. Accordingly, I proceed to pass following order :-

ORDER

- i] The application is partly allowed.
- ii] The FIR in connection with Crime No.286/2025 registered under Sections 3(5) and 85 of the BNSS, 2023 and the consequent proceeding arising out of the same bearing R.C.C. No.282/2025 to the extent of the applicant Nos.2 and 3 is quashed and set aside.
- iii] The prayer of the applicant No.1 for quashing of FIR is hereby rejected.

7. The application is disposed of.

[JUDGE]