



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

CRIMINAL APPLICATION (APL) NO. 1204 OF 2025

1. **Dr. Mugdha w/o Rahul**
Pachakawade,

APPLICANTS

Aged about 43 years,
Occupation : Doctor
R/o Plot No.13, House No.988/13,
Amravati Road,. Near Radhika
Lawn, Aakanshi Co-operative
Housing Society, Dabha, Wadi
Nagpur 440023

2. **Dr. Rahul s/o Rambhau**
Pachakawade,

Aged about 44 years, Occ. Doctor,
R/o Plot No.13, House No.988/13,
Amravati Road, Near Radhika
Lawn, Aakanshi Co-operative
Housing Society, Dabha, Wadha
Nagpur-440023

// V E R S U S //

1. **The State of Maharashtra,**
Through Police Station Officer,
Police Station Ghatanji,
Tah. Ghatanji & Dist. Yavatmal

NON-APPLICANTS

2. **Sneha @ Sonu w/o Vaibhav Mandle**
Aged about 33 years, Occ.
Housewife, R/o Ram Mandir Road,
Ghatanji, Tah. Ghatanji &
District Yavatmal

Mr. Kushal Rajesh Jain, Advocate for the applicants.
Mrs. Mrunal Barbade, APP for non-applicant No.1 /State.

CORAM : URMILA JOSHI PHALKE, J.

DATED : 11.02.2026

ORAL JUDGMENT :

1. Heard.
2. **ADMIT.** Taken up for final disposal with the consent of learned counsel for the parties.
3. Despite notice none appears for non-applicant No.2.
4. The present application is preferred by the relatives of husband of non-applicant No.2 for quashing of the First Information Report in connection with crime No.573/2025 registered at Police Station Ghatanji District Yavatmal for the offences punishable under Sections 3(5) and 85 of the Bharatiya Nyaya Sanhita, 2023 and consequent proceeding arising out of the same bearing charge-sheet No.721/2025 and RCC No.638/2025 pending before the learned Jt. Civil Judge, Junior Division and J.M.F.C., Ghatanji.
5. The crime is registered on the basis of report lodged by non-applicant No.2 on an allegation that her marriage was performed with other co-accused Vaibhav Madhav Mandle on

14.12.2022. After marriage she resumed the co-habitation at her matrimonial house and it revealed to her that her husband is having love affair with another lady. Therefore he was ill treating her physically and mentally. This fact is narrated by her to her in-laws also but they have also not paid any heed towards it. Her husband was physically illtreating her by assaulting her abusing her and her mother-in-law was also instigating him. It is further alleged that present applicant No.1 who is the sister-in-law used to instigate her husband and on her instigation he used to ill treat her physically as well as mentally. On the basis of the said report police have registered crime against the present applicants.

6. Heard learned counsel for the applicants who submitted that as far as the present applicant No.1 is concerned who is sister-in-law and applicant No.2 is husband of the applicant No.1. The entire FIR nowhere depicts any specific instances as far as the ill treatment or abetment at the hands of present applicants are concerned. He submitted that merely they are relatives of the husband of non-applicant No.2 they are implicated in the alleged offence. They are medical professionals and they are residing at Nagpur. There is no occasion for them to visit matrimonial house of non-applicant No.2 and merely on the basis

of omnibus, vague and general allegations they are implicated in the alleged offence. For all above these grounds the application deserves to be allowed.

7. Per contra, learned APP strongly opposed the said contention and submitted that statement of the informant specifically shows the role of the present applicants. In view of that application deserves to be rejected.

8. After considering the rival submissions of both the parties and on perusal of the investigation papers, it nowhere reflects any specific instances or any wilful conduct on the part of the applicants. Admittedly, there is no allegation specifying the role attributed to the present applicants. Thus, it is apparent that merely because she is the sister-in-law and applicant No.2 is the husband of the applicant No.1 they are implicated in the alleged offence. It is now well settled that mere reference of the names of the relatives of the husband without assigning any specific role are to be nipped into the bud. Considering the nature of the allegations which is general omnibus and vague, no prima-facie case is made out. 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.573/2025 registered at Police Station Ghatanji District Yavatmal for the offences punishable under Sections 3(5) and 85 of the Bharatiya Nyaya Sanhita, 2023 and consequent proceeding arising out of the same bearing charge-sheet No.721/2025 and RCC No.638/2025 pending before the learned Jt. Civil Judge, Junior Division and J.M.F.C., Ghatanji is quashed and set aside to the extent of applicant Nos.1 and 2 namely Dr. Mugdha w/o Rahul Pachakawade and Dr. Rahul s/o Rambhau Pachakawade.

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

Pending applications, if any, also stand disposed of.

(URMILA JOSHI PHALKE, J.)