



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

CRIMINAL APPLICATION (APL) NO. 1293 OF 2025

1. Rahul Shrvanji Nandardhane,
age 35 years, Occ. Labour
2. Shravanji Bisanji Nandardhane,
age 60 years, Occupation Business,
3. Sarla Shrawanji Nandardhane,
age 552 years, Occupation- Household

Applicant no. 1 to 3 are resident of
R.P.T.S Road, Bhakarechya Kontrol
Javal, Guljar Pura, Akola, Tq and Dist.
Akola.

4. Sarita @ Sonu Chandrakantji
Bankar(Nand) aged 38 years,
Occupation Household.

5. Chandrakant Bankar,
age 42 years, Occupation- Business,

Applicant no. 4 and 5 R/o Dastur Nagar
Road, Vaibhav Colony, Near Goroba
Mandir, Amravati Tq. and Dist.
Amravati.

... Applicants

6. Mrs. Jayshree Nilesh Bankar,
age 35 years, Occupation Household,
7. Nileshrao Bankar,
age 40, Occupation -Service

Applicant no. 6 and 7 R/o Navin Power
House near Kolhapur gate, Amravati,
Tq. and Dist. Amravati

8. Sau. Priya Prashant Harne
age 38years, Occupation-Household,

9. Prashant Naamdeorawaji Harne
age 38 years, Occupation Service
R/o Mahalakshmi Aurked, 2nd floor,
Station Road, Dhanwantari Hospital,
Pin code- 429503, East Badlapur,
Tq. Ambarnath, Dist. Thane, Mumbai,
Maharashtra

Versus

1. State of Maharashtra
Through Police Station Officer,
Police Station Civil lines, Akola,
Dist. Akola.

2. Shilpa Rahul Nandardane,
age 27 years, Occupation, Household.

... Non-applicants

R/o, Hati-mukkam, Choti Umari, Akola,
Civil lines, Akola., Tal. & Dist. Akola,
9405618987

Ms. Garima Jain, Advocate for applicants.

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

CORAM : URMILA JOSHI-PHALKE, JJ.
DATE : 23.01.2026

ORAL JUDGMENT:

Heard.

(2) **Admit.**

(3) Heard finally with the consent of the learned
counsel for the respective parties.

(4) Present application is filed by the husband and the
nearest relatives of the husband for quashing of the First Information

Report in connection with Crime No.548/2024, registered with Police Station Civil Lines, Akola, for the offence punishable under Sections 498A, 323, 504 read with Section 34 of the Indian Penal Code and the consequent proceeding arising out of the same bearing RCC No.152/2025.

(5) Heard learned counsel for the applicants submitted that the crime is registered on the basis of report lodged by the non-applicant No.2, on an allegation that her marriage was performed with the applicant No.1 on 22.05.2023. After marriage, she resumed co-habitation at the house of the present applicants. But, the present applicants for one or the other reasons ill-treated her, demanding money from her, her husband was physically assaulting her, on the instigation of the other applicants, on the basis of the said report, police have registered the crime against the present applicants.

(6) Learned counsel for the applicants submitted that on various occasions the NC reports have filed against the husband and the husband has also filed a NC report against the non-applicant No.2 as he was apprehension of implicating him in the false crime.

(7) She invited my attention towards the various NC reports filed by the non-applicant No.2 wherein she has alleged against the applicant No.1, that despite she was pregnant, the applicant No.1 has not shown any remorse to her and physically and mentally abused and assaulted her. However, the parties have already appeared before the Bharosa Cell. They entered into the compromise, but the non-applicant No.2 was so eager to initiate an action against the present applicants and therefore, she continued to lodge a report against the present applicants and resultantly, the present FIR came to be lodged against the present applicants. She submitted that the FIR came to be lodged on the basis of the general, omnibus and vague allegations as far as the applicants are concerned. Even accepting the allegations as it is at its face value, no offence is made out against any of the applicants as the FIR came to be lodged only because the matrimonial dispute arose between the husband and wife. For all above these reasons, the application deserves to be allowed.

(8) Per contra, learned APP strongly opposed the said contention and submitted that as far as the husband is concerned, there is serious allegations, several complaints are filed by the non-applicant No.2 wherein she consistently stated that she was physically

as well as mentally abused by her husband, she was beaten on various occasions and various NC reports also reflect the same. Thus, considering the prima facie case against the applicant No.1, the application deserves to be rejected. He submitted that as far as the other applicants are concerned, though there are allegations general in nature, but consistent allegations is made by her in various proceedings, in view of that, the application of the other applicants also deserves to be rejected.

(9) On hearing both the sides and on perusal of the investigation papers, there is no dispute as to the relationship. The marriage between the applicant No.1 and the non-applicant No.2 was performed on 22.05.2023. The recitals of the FIR shows that as far as the applicant Nos.2 to 9 are concerned, against whom general, sweeping and omnibus allegations are levelled. Whereas, against the applicant No.1 consistent allegations are made by her that on various occasions, he has physically assaulted her. The series of the NC reports are also filed by her against the applicant No.1. If the NC reports are perused, admittedly, the said NC reports are lodged against only the applicant No.1. One NC report is also lodged by the present applicant No.1 raising apprehension that there is likelihood of implicating him in

the false FIR. Even accepting that there was an apprehension, but considering the consistent complaints made by the woman, there is some substance in the contention of the learned APP, that there was consistent allegations against the present applicants as to the physical and mental harassment at the hands of the applicant No.1.

(10) On perusal of the entire statements of the witnesses as well as the recitals of the FIR, except the reference to the names of the family members, general and sweeping allegations against them that they were instigating, no specific allegation indicating their active involvement is mentioned either in the FIR or the statements of the witnesses. NC reports also silent about the harassment at the hands of the other applicants. In view of that, the application deserves to be allowed partly.

(11) Accordingly, I proceed to pass the following order :

ORDER

- (i) The criminal application is allowed partly.
- (ii) The prayer of the applicant No.1 for quashing of the FIR is hereby rejected.

(iii) The FIR in connection with Crime No.548/2024 registered with Police Station Civil Lines, Akola, for the offence punishable under Sections 498A, 323, 504 read with Section 34 of the Indian Penal Code and the consequent proceeding bearing RCC No.152/2025 is hereby quashed and set aside to the extent of the applicant Nos.2 to 9, namely, Shravanji Bisanji Nandardhane, Sarla Shrawanji Nandardhane, Sarita @ Sonu Chandrakantji Bankar, Chandrakant Bankar, Mrs. Jayshree Nilesh Bankar, Nileshrao Bankar, Sau. Priya Prashant Harne and Prashant Naamdeorawaji Harne.

(12) The application is disposed of in the above said terms.

[URMILA JOSHI-PHALKE, J.]

Prity