



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

CRIMINAL APPLICATION (APL) NO. 1310 OF 2025

1. **Mr. Yashwant s/o Dadaji Ambatkar**
Aged about 63 years,
Occupation : Medical Practitioner
2. **Mrs. Safalata w/o Yashwant Ambatkar,**
Aged about 58 years, Both 1 and 2
are R/o-58, Miles Stone Park Front
Building, Dr. Khare Marg, Opposite
Dhantoli Garden, Dhantoli
Nagpur

APPLICANTS

// V E R S U S //

1. **The State of Maharashtra,**
Through its Secretary, Department
of Home Affairs, Mantralaya,
Mumbai
2. **Police Station Officer,**
Police Station,
Dhantola, Dhantoli, Nagpur
3. **Mrs. Megha d/o Dipak Rudey,**
Aged about 28 years,
Occupation Doctor, R/o 102 FN,
Pioneer Wood, Phase No.1, in front
of YCC College, Wanadongri,
Tahsil-Hingna, District Nagpur
(Maharashtra)

NON-APPLICANTS

Mr. Prateek Naidu, Advocate h/f Mr. S.B. Tiwari, Advocate for
the applicants.

Mr. Nikhil Joshi, APP for non-applicant Nos.1 and 2 /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. Despite service of notice none appears for non-applicant No.3.
4. The present application is preferred by in-laws i.e. father in law and mother in law of non-applicant No.3 for quashing of the First Information Report in connection with crime No.339/2025 registered at Police Station Dhantoli District Nagpur for the offences punishable under Sections 85, 115(2), 351(3) and 352 of the Bharatiya Nyaya Sanhita, 2023 along with Section 4 of the Dowry Prohibition Act, 1961 and consequent proceeding arising out of the same bearing charge-sheet No147/2025 and RCC No.4768/2025 pending before the learned 14th Joint Civil Judge, Junior Division and J.M.F.C., Nagpur.

5. The crime is registered on the basis of report lodged by non-applicant No.3 on an allegation that she got married with the son of present applicants on 13.08.2024 which was love marriage. The said marriage was registered marriage and this fact was unknown to the present applicants. She further alleged that on 10.01.2025 when her husband had been to meet her at that time there was dispute between the non-applicant No.3 and her husband and he has abused and physically assaulted her. She disclosed the said incident to her parents and her parents made a phone call to the applicants and his parents i.e. present applicants state that their son has not disclosed that he married with non-applicant No.3 but the present applicants allegedly abused her parents. On the basis of said report, police have registered the crime against them.

6. Heard learned counsel for the applicants who submitted that except the allegation that on disclosure by the parents regarding the son of the present applicants had married with their daughter the parents of the non-applicant No.3 were abused by present applicants. There is no allegations as to ill treatment or demand of money or any wilful conduct on their part. Therefore, offence under Section 498-A is not made out

against them. He submitted that mere reference of name is not sufficient to attract the offence. For all above the grounds, the application deserves to be allowed.

7. Per contra, learned APP strongly opposed the said contention on the ground that considering the role attributed to the present applicants that they are the parents and they were informed by the parents of the non-applicant No.3 but instead of taking cognizance of same they have abused the non-applicant No.3 and her parents and therefore, offence is made out. In view of that the application deserves to be rejected.

8. After considering the rival submissions of both the parties and on perusal of the investigation papers, it reveals that except the allegation that they have abused the parents of the non-applicant No.3 there is no allegation that either at any point of time the non-applicant No.3 had been to their house and they have either demanded the money or there was any wilful conduct on their part to ill treat non-applicant No.3. Thus, considering the allegations levelled against the present applicants even if it is accepted at its face value no offence is made out against the present applicants as mere reference of the name without

assigning any specific instances is not sufficient to attract the offence punishable under Section 498A of the IPC.

9. Considering the allegations levelled against the present applicants no prima-facie case is made out against them. In view of that, the application deserves to be allowed.

10. 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.339/2025 registered at Police Station Dhantoli District Nagpur for the offences punishable under Sections 85, 115(2), 351(3) and 352 of the Bharatiya Nyaya Sanhita, 2023 along with Section 4 of the Dowry Prohibition Act, 1961 and consequent proceeding arising out of the same bearing charge-sheet No147/2025 and RCC No.4768/2025 pending before the learned 14th Joint Civil Judge, Junior Division and J.M.F.C., Nagpur is quashed and set aside to the extent of applicant Nos.1 and 2 namely Mr. Yashwant s/o Dadaji Ambatkar and Mrs. Safalata w/o Yashwant Ambatkar.

11. 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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