



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

CRIMINAL APPLICATION (APL) NO. 1462 OF 2025

1. Vijaykumar S/o Annaji Rajekar,
Aged about 48 yrs., Occ- Service,
2. Annaji s/o Chinttaman Rajekar,
Aged about 75 yrs., Occ- Service,
3. Kantabai w/o Annaji Rajekar,
Aged about 69 yrs., Occ- Housewife,
4. Pushpanjali d/o Annaji Rajekar,
Aged about 40 yrs., Occ- Housewife,
5. Rajesh s/o Annaji Rajekar,
Aged about 38 yrs., Occ- Service,
Applicant 1 to 5 R/o Near MSEB
office Tq. Mehkar Dist. Buldhana.

APPLICANTS

Versus

1. The State of Maharashtra,
Through its Police Station Officer,
Police Station Karanja,
Tah. Malegaon, District. Washim.
2. Chanchal w/o Vijaykumar Rajekar,
Aged about years, Occ- Housewife,
R/o Near MSEB office
Tq. Mehkar, Dist. Buldhana.
Presently at Bebalpath, Balaji Temple
road, Tq Karanja Dist. Washim.

NON-APPLICANTS

Ms. K.M. Shekhar, Advocate a/w Mr. R.S. Kurekar, Advocate for
the Applicants.

Mr. N.H. Joshi, APP for the Non-applicant No.1/State.

CORAM : URMILA JOSHI PHALKE, J.

DATED : 18th FEBRUARY, 2026.

ORAL JUDGMENT :-

1. Heard.

2. **ADMIT.** Heard finally by the consent of learned
Counsel for the Applicants and learned APP for the
Non-applicant No.1/State.

3. Despite the service of notice none appears for the
Non-applicant No.2.

4. The present Application is preferred by the
Applicants who are the husband and in-laws under Section 528
of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for
quashing of the First Information Report in connection with
Crime No.819/2023 registered with Police Station Karanja,
District Washim for the offence punishable under Sections

498-A, 504, 506 read with Section 34 of the Indian Penal Code (for short “IPC”) and the consequent proceeding arising out of the same bearing Charge-sheet No. 55/2024.

5. The crime is registered on the basis of a report lodged by the Non-applicant No.2 on an allegation that her marriage with the Applicant No.1 was performed on 10.06.2014. After marriage she resumed cohabitation, however she was not treated well. The Applicant No.1 was addicted to bad voices and under the influence of liquor he was physically and mentally ill-treating her. As far as the other Applicants are concerned, they were raising quarrels with her and instigating her husband and due to their instigation, the Applicant No.1 was assaulting her and abusing her. On the basis of the said report Police have registered the crime against the present Applicants.

6. Heard learned Counsel for the Applicant who submitted that, on the basis of general, omnibus and vague allegations the FIR came to be lodged against the present Applicants. She submitted that, no specific instances are narrated as far as the ill-treatment is concerned. The recitals of

the FIR nowhere depicts that, there was a wilful conduct on the part of the present Applicants and due to the said wilful conduct ill-treatment was there, and therefore, the Non-applicant No.2 constrained to leave the matrimonial house. She submitted that, no specific instances are narrated as far as the ill-treatment is concerned, and therefore, the Application deserves to be allowed.

7. *Per contra*, learned APP strongly opposed the said contention and submitted that as far as the Applicant No.1 is concerned, against whom the specific allegations are levelled. The Applicant No.1 is the husband who not only demanded the amount from the parents of the Non-applicant No.2 but he has physically and mentally ill-treated her, which is sufficient to attract the offence. In view of that, the Application deserves to be rejected.

8. On hearing both the sides and on perusal of the entire recitals of the FIR and the investigation papers it reveals that, as far as the Applicant Nos. 2 to 5 are concerned, admittedly there is general, omnibus and vague allegations. On the basis of sweeping allegations they are implicated in the

alleged offence. No instances are narrated or no specific incidents are narrated to show that what type of ill-treatment was there at the hands of the Applicant Nos. 2 to 5. As far as the Applicant No.1 is concerned, against whom the specific allegation is there that he was ill-treating her physically and mentally under the influence of liquor. Thus, considering the nature of the allegations levelled against the Applicant Nos. 2 to 5, which is general, omnibus and vague in nature. Now it is settled that, mere reference of the names of the relatives of the husband without narrating any specific instance is not sufficient to attract the offence punishable under Section 498-A of IPC. In view of that, the Application deserves to be allowed partly. Accordingly, I proceed to pass the following order.

ORDER

- i.** Criminal Application is **allowed partly**.
- ii.** The prayer of the Applicant No. 1/Vijaykumar S/o Annaji Rajekar for quashing of the FIR is hereby rejected.
- iii.** The First Information Report in connection with Crime No. 819/2023 registered with Police Station Karanja, District Washim for the offence punishable

under Sections 498-A, 504, 506 read with Section 34 of the Indian Penal Code and the consequent proceeding arising out of the same bearing Charge-sheet No. 55/2024, are hereby quashed and set aside to the extent of Applicant Nos. 2 to 5.

9. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI PHALKE, J.)

S.D.Bhimte