



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

CRIMINAL APPLICATION (APL) NO. 1537 OF 2025

APPLICANT : Sau. Ashwini w/o Abhishek Khannande,
Aged 31 years, Occupation : Doctor,
R/o Ghanshyam Nagar,
Amravati.

V E R S U S

NON-APPLICANTS : 1. State of Maharashtra
Through Police Station Officer,
Balapur, District - Akola.

2. Sau. Amruta w/o Amol Daberao,
Aged – 30 years,
Occupation – Household,
R/o House No.L-10 MHADA Colony,
Kaulkhed, Akola,
Tq. and District Akola.

Shri T. H. Bewali, Advocate for applicant.
Shri A. M. Kadukar, Additional Public Prosecutor for non-applicant No.1.

CORAM: URMILA JOSHI-PHALKE, J.
DATED : 05/02/2026.

ORAL JUDGMENT :

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

2. The present application is preferred by the applicant for
quashing of First Information Report in connection with Crime
No.39/2020 registered under Sections 498-A, 354, 323, 504, 506
r/w Section 34 of the IPC and the consequent proceeding arising
out of the same bearing R.C.C. No.191/2020.

3. Heard learned counsel for the applicant who submitted that the present applicant who is the sister-in-law of non-applicant No.2 approached this Court as the FIR came to be lodged against her on the basis of general, vague and omnibus allegations. He invited my attention towards the recitals of the FIR and submitted that merely because she is the relative of the husband of the non-applicant No.2, she is implicated. As far as her role is concerned, no specific instances or wilful conduct is mentioned in the FIR regarding the role of the present applicant. Thus, it is apparent that on the basis of general, vague and omnibus allegations, she is implicated in the alleged offence. As far as the incident narrated by the non-applicant No.2 that the present applicant was also forcing her for the termination of the pregnancy is not substantiated by any other material. In view of that, no prima facie case is made out and hence, the application deserves to be allowed.

4. Per contra, learned APP strongly opposed for the same and submitted that considering the specific allegation against the present applicant that she was also insisting the non-applicant No.2 for termination of pregnancy and was taking her to terminate her pregnancy sufficiently shows her involvement. In view of that, application deserves to be rejected.

5. Despite service of notice, none appears for the non-applicant No.2.

6. After hearing both the sides and on perusal of the entire investigation papers, as far as the involvement of the present applicant who is sister-in-law of non-applicant No.2 is on the basis of general, vague and omnibus statement. To attract the offence punishable under Section 498-A of the IPC, there has to be some wilful conduct on the part of the present applicant. Now, it is settled law that mere reference of the name of relative without assigning specific role is to be nipped into the bud. In view of that, application deserves to be allowed. Accordingly, I proceed to pass following order :-

ORDER

- i] The application is allowed.
- ii] The FIR in connection with Crime No.39/2020 registered under Sections 498-A, 354, 323, 504, 506 r/w Section 34 of the IPC and the consequent proceeding arising out of the same bearing RCC No.191/2020 is hereby quashed and set aside to the extent of the present applicant.

7. The application is disposed of.

[JUDGE]