



Judgment

18 apl1606.25

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

CRIMINAL APPLICATION APL NO.1606 OF 2025

1. Ramkumar s/o Babulal Purbhe,
aged about 38 years, occupation:
labour, (husband of NA No.2).

2. Babulal s/o Kachru Purbhe, aged
about 72 years, occupation:
agriculturist, (father-in-law of NA
No.2).

3. Kaushalya w/o Babulal Purbhe,
aged about 67 years, occupation:
housewife, (mother-in-law of NA
No.2).

4. Lakhan s/o Babulal Purbhe, aged
about 30 years, occupation: Nil,
(brother-in-law of NA No.2).

Applicants No.1 to 4 are r/o
Rajeshwar Nagar, Sagwan, near Dr.
Gude Nursing College, Buldhana, tahsil
and district Buldhana.

5. Mira w/o Anil Borkar, aged about
45 years, occupation: service (staff
nurse, r/o Sagwan, Buldhana, tahsil
and district Buldhana. (sister-in-law of
NA No.2).

6. Varsha w/o Ratan Shirale, aged

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about 35 years, occupation:
household, (sister-in-law of NA
No.2).

7. Ratan s/o Ramchandra Shirale, aged
about 43 years, occupation: business,
(husband of applicant No.6).

Applicants No.6 and 7 are r/o
Waturphata, tahsil Patur, district Jalna.

8. Manisha w/o Rajiv Shingne, aged
about 32 years, occupation: service
(staff nurse), (sister-in-law of NA
No.2).

9. Rajiv s/o Kachru Shingne, aged
about 42 years, occupation: services
(gram sewak), (husband of applicant No.8).

Applicant No.8 and 9 are r/o Ambad,
tahsil and district Jalna.

10. Manchala w/o Laxman Dongre,
aged about 68 years, occupation:
agriculturist, (maternal aunt of
applicant No.1).

11. Jagan s/o Laxman Dongre, aged
about 35 years, occupation: labour,
(son of applicant No.10).

Applicant No.10 and 11 are r/o
Kingan Jattu, tahsil Lonar, district
Buldhana.

..... Applicants.

:: VERSUS ::

1. The State of Maharashtra, through the Police Station Officer, Police Station Andhera, tahsil Deulgaon Raja, district Buldhana.

2. Asha w/o Ramkumar Purbhe, aged about 30 years, occupation: housewife, r/o Rohda, tahsil Chikhli, district Buldhana, (wife of applicant No.1).
..... **Non-applicants.**

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Shri N.B.Kalwaghe, Counsel for Applicants.
Shri A.M.Kadukar, APP for NA No.1/State.
Shri Y.S.Bhangale, Counsel for NA No.2

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CORAM : **URMILA JOSHI-PHALKE, J.**
DATE : **27/02/2026**

ORAL JUDGMENT

1. Heard. **Admit.** Heard finally by consent.
2. By this application, applicants are seeking quashing of FIR in connection with Crime No.0010/2020 registered with the non-applicant No.1 police station for offences under Sections 498-A, 323, and 506 read with 34 of the IPC and consequent proceeding arising out of the same bearing chargesheet No.19/2020.

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3. Applicant No.1 is husband; applicant Nos.2 and 3 are in-laws, applicant Nos.4 to 11 are the nearest relatives of the husband of non-applicant No.2 (the complainant).

4. The crime is registered on the basis of a report lodged by the complainant on allegations that her marriage with applicant No.1 was performed on 15.5.2018. After the marriage, she resumed cohabitation at the house of applicants. At the time of the marriage, it was represented that applicant No.1 is well educated, but he is not having job and he can get a good job in future and, therefore, huge expenses are incurred by her father. When she was pregnant, applicant No.1 asked her to bring Rs.5.00 lacs as his family members have collected Rs.5.00 lacs for getting a job and Rs.10.00 lacs are to be paid for the said job. As she has shown her inability to bring the said amount, she was assaulted by applicant Nos.1 to 3 as well as in-laws also. When her parents had been to her house to convince, they were also humiliated and insulted by applicants and

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subsequently, she was driven out of the house as the demand is not fulfilled.

On the basis of the said report, the police have registered the crime against applicants.

5. Learned counsel for applicants submitted that as the dispute arose between the husband and wife, this false FIR came to be lodged by implicating all family members. He submitted that this FIR came to be lodged after taking a legal advice. Even accepting allegations as it is, it shows that general, vague, and omnibus allegations are levelled against applicants. No specific instances are narrated as far as the alleged incident of assault is concerned. Thus, no *prima facie* case is made out against applicants and, therefore, the application deserves to be allowed.

6. *Per contra*, learned APP for the State and learned counsel for the complainant submitted that the complainant has specifically narrated about the act of applicant Nos.1 to 3

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as well as the act of applicant No.5 also. They submitted that she has specifically narrated that this incident has happened after the marriage when she was pregnant. Prior to lodging of the FIR, she has also lodged a complaint with The Woman Cell and applicants were called by The Woman Cell for conciliation. However, the matter could not be settled and, therefore, the FIR came to be lodged.

7. Perusal of the entire investigation papers reveals that as far as applicant Nos.1 to 3 are concerned, against whom specific allegations are levelled as far as physical assault and mental ill-treatment are concerned.

8. The allegations levelled against applicant No.4 to 11 are sweeping and vague in nature.

9. Considering Explanation given under Section 498-A of the IPC, a willful conduct is there on the part of applicant Nos.1 to 3 and, therefore, a *prima facie* case is made out against applicant No.1 to 3.

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10. As far as applicant Nos.4 to 11 are concerned, admittedly, merely because they are the nearest relatives of the husband of the complainant, they are implicated in the alleged crime without specifying any specific role and willful conduct on their part.

11. In view of that, the application deserves to be allowed partly. Accordingly, I proceed to pass following order:

ORDER

(1) The criminal application is **partly allowed**.

(2) The criminal application, in respect of applicant Nos.1 to 3, are hereby **rejected**.

(3) The FIR in connection with Crime No.0010/2020 registered with the non-applicant No.1 police station for offences under Sections 498-A, 323, and 506 read with 34 of the IPC and consequent proceeding arising out of the same bearing chargesheet No.19/2020 are hereby quashed and set

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aside to the extent of applicant Nos.4 to 11 (Lakhan s/o Babulal Purbhe; Mira w/o Anil Borkar; Varsha w/o Ratan Shirale; Ratan s/o Ramchandra Shirale; Manisha w/o Rajiv Shingne; Rajiv s/o Kachru Shingne; Manchala w/o Laxman Dongre; and Jagan s/o Laxman Dongre).

Application stands **disposed of**.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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