



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

CRIMINAL APPLICATION (APL) NO. 1956 OF 2025

1. Akash Bhimrao Ingle, (Husband)
Age: 30 years, Occ.: Optometrist,
2. Bhimrao Namdev Ingle,
(Father-in-law)
Age: 62 years, Occ: Agriculturist,
3. Sunanda Bhimrao Ingle
(Mother-in-law)
Age: 57 years, Occ: Housemaker,
Applicant Nos. 1 to 3 are, R/O. Bibi,
Tq. Lonar, Dist. Buldhana.
4. Suraj Bhimrao Ingle, (Brother-in-law)
Age: 33 years, Occ: Service,
R/o. Bibi, Tq. Lonar, Dist. Buldhana
Presently posted in private service at
Pune.
5. Sushil Bhimrao Ingle,(Brother-in-law)
Age: 28 years, Occ: Service,
R/o. Bibi, Tq. Lonar, Dist. Buldhana.
Presently posted at Saint George
Hospital-Mumbai.
6. Pramod Pandurang Ingle,
(Brother-in-law)
Age: 45 years, Occ: Service,
R/o. P.S.I. quarters, T.V. Centre N-10,
Aurangabad, Tq. & Dist. Aurangabad.

7. Gajanan Bhagwan Ingle,
(Brother-in-law)
Age: 40 years, Occ: Service,
R/o. Tathawade Pune, Tq. & Dist.
Pune.
8. Adinath Natha Ambhore, (Relative)
Age: 65 years, Occ: Retired,
R/o. Malu Lay-out, Camp, Amravati,
Tq. & Dist. Amravati.
9. Shrawan Natha Salawe, (Relative)
Age: 75 years, Occ: Agriculturist,
R/o. Bibi, Tq. Lonar, Dist. Buldhana.
- 10 Panditrao Givindrao Khandare,
(Relative)
Age: 70 years, Occ: Agriculturist,
R/o. Dusrbeed, Tq. Sindhkhedraja,
Dist. Buldhana.

APPLICANTS**Versus**

1. The State of Maharashtra,
Through the Police Station Officer,
Police Station Akot File, Akola
Tq. Akola, Dist. Akola.
2. Sau. Ankita Akash Ingle,
(Complainant)
Age: 28 years, Occ: Service
R/o. C/o. Mukesh Govindrao
Gajbhiye, Shankar Nagar Akot Road,
Akola Tq. & Dist. Akola - 444101.

NON-APPLICANTS

Mr. V.G. Ingole, Advocate for the Applicants.
Ms. M.A. Barabde, APP for the Non-applicant No.1/State.
Mr. Shyam Jaiswal, Advocate (Appointed) for the Non-applicant
No.2.

CORAM : URMILA JOSHI PHALKE, J.

DATED : 24th FEBRUARY, 2026.

ORAL JUDGMENT :-

1. Heard.
2. **ADMIT.** Heard finally by the consent of learned Counsel for the respective parties.
3. The present Application is preferred by the Applicants who are the husband and in-laws of the Non-applicant No.2 under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for quashing of the First Information Report in connection with Crime No.495/2025 registered with Police Station Akot File, District Akola for the offence punishable under Sections 85 and 3(5) of the Bharatiya Nyaya Sanhita (BNS) 2023.

4. The crime is registered on the basis of a report lodged by the Non-applicant No.2 on an allegation that her marriage was performed with the Applicant No.1 on 30.05.2025 and after marriage she resumed the cohabitation at the house of the present Applicants. She alleged that, since the date of marriage her husband was not communicating with her and despite her efforts to communicate with him he has not communicated with her and even if she asked something he was giving answers either yes or no. This fact is disclosed by her to her in-laws but they have also told her that she has to make an effort to constrain him to talk. Thus, her allegation is that her marriage was performed with the Applicant No.1 by concealing the fact that he is not mentally stable person. On the basis of the said report Police have registered the crime against the present Applicants.

5. Heard learned Counsel for the Applicants, who submitted that, the Applicant No.1 is well educated man studied as a Bachelor of Science and also working in the Lens Kart Online Services Private Company. He submitted that, even accepting the allegation as it is at its face value which is not

substantiated by any material. No specific instances are narrated by the Non-applicant No.2 as far the ill-treatment is concerned. Even accepting the allegations as it is, the only allegation is that she has disclosed the said fact to her in-laws but they disclosed to her that she has to take efforts to communicate with the Applicant No.1. If these allegations are considered in the light of the ingredients which are disclosed under Section 498-A of IPC (Section 85 of BNS) and especially the Explanation which states as under:

“Explanation.—For the purpose of this Section, “cruelty” means-(a) any wilful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or

(b) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.”

6. There is no doubt that the object of introducing Chapter XX-A containing Section 498-A in the Indian Penal Code was to prevent the torture to a woman by her husband or by relatives of her husband. Section 498-A was added with a view to punishing a husband and his relatives who harass or torture

the wife to coerce her or her relatives to satisfy unlawful demands of dowry.

7. In any event the willful act or conduct ought to be the proximate cause in order to bring home the charge under Section 498-A of IPC. The general, omnibus and vague allegations are not sufficient to attract the offence punishable under Section 498-A of IPC (Section 85 of BNS). Here the entire recitals of the FIR nowhere discloses any specific instance or any specific act as far as the Applicant No.1 is concerned, only the allegation is that he was not communicating with the Non-applicant No.2, is not by any stretch of imagination can be said to be an ill-treatment to the Non-applicant No.2. As far as the other Applicants are concerned, admittedly, merely because they are the relatives of the husband of the Non-applicant No.2 they are implicated in the alleged offence without assigning any specific role or specific instance as far as their involvement is concerned. Now, it is settled that, mere reference of their names without assigning any role, is not sufficient to attract the offence punishable under Section 498-A of IPC (Section 85 of BNS). In

view of that, the Application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- i. Criminal Application is **allowed**.
 - ii. The First Information Report in connection with Crime No. 495/2025 registered with Police Station Akot File, District Akola for the offence punishable under Sections 85 and 3(5) of the Bharatiya Nyaya Sanhita (BNS) 2023, is hereby quashed and set aside to the extent of the present Applicants.
 - iii. The fees of the learned Appointed Counsel be quantified as per rules.
8. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI PHALKE, J.)