

ORDER BELOW EXH.23
(Passed on 10.12.2025)

1. This is a discharge application filed by accused Nos. 2 to 5. Accused Nos. 2 and 3 are parents-in-law of the deceased Lobhina. Accused No. 4 is the brother-in-law, and accused No. 5 is the wife of accused No. 4.

2. The prosecution case, in brief, is that the daughter of the informant was missing since 1.06.2020. Thereafter, the body of deceased Lobhina was found in a well. Considering the nature of the death, an offence punishable under Sections 498-A, 304-B, 306, and 201 read with Section 34 of the Indian Penal Code was registered against all accused.

3. Learned Advocate C.R. Bhagwat appearing for accused Nos. 2 to 5 argued that deceased Lobhina and accused No. 1 were residing separately from the other accused, and therefore, the prosecution against the applicants is improper and unsustainable.

4. Per contra, learned APP S.B. Nagpure opposed the application, submitting that there are sufficient materials on record showing harassment and cruelty meted out to the deceased by all accused, which ultimately led to her unnatural death.

5. Heard the learned Advocate Shri C.R. Bhagwat, for the accused and Shri S.B. Nagpure, learned APP for the State.

6. I have perused the charge sheet and the statements of several witnesses recorded during investigation. The following witnesses have stated about the ill-treatment and harassment by all accused:

- **Smt. Saraswatabai Meshram** – mother of the deceased, stated about illtreatment by husband and accused Nos. 2 to 5 and even about demand of money.
- **Smt. Urmila Bhaktdas Zade** – neighbour, stated about ill-treatment by accused no.1,2,3.
- **Shri Bhaktdas Laxman Zade** – neighbour, stated about harassment by all accused.
- **Smt. Usha Pandurang Zade** – also stated similar facts regarding illtreatment by all accused.
- **Smt. Nima Suresh Meshram**, sister of deceased, stated that deceased had informed her about harassment by all accused.

7. From the above statements, a prima facie case is made out against all the accused persons for offences punishable under Sections 498-A, 304-B, 306, and 201 read with Section 34 of the Indian Penal Code. The contention that accused Nos. 2 to 5 were residing separately does not, at this stage, absolve them of liability when specific allegations of harassment and cruelty are found in the witness statements.

8. At the stage of considering a discharge application, the Court is not to conduct a meticulous evaluation of evidence but only to see whether a prima facie case exists warranting a trial. On perusal of the material on record, I am of the considered view that there is sufficient material for framing charge against the applicants. I pass following order.

ORDER

1. The discharge application (Exh. 23) filed by accused Nos. 2 to 5 is rejected.
2. Proceed to frame charge accordingly.

Date: 10.12.2025.

(L.D. Bile)
Additional Sessions Judge,
Chandrapur.