



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3132 OF 2024

1. Rajaram s/o Dnyanoba Kachave
2. Heera w/o Rajaram Kachave
3. Balaji s/o Marotrao Dahe,
4. Janki w/o Balaji Dahe ... Applicants

VERSUS

1. The State of Maharashtra
Through the Investigating Officer,
Manwat Police Police Station, Dist. Parbhani
2. Ankita w/o Ganesh Chavhan ... Respondents

Mr. Vedant S. Kabra h/for Mr. Shriram Sarda, Advocate for Applicants
Mrs. Bharti B. Gunjal, APP for Respondent No.1 State
Mrs. Deepali S. Patil, Advocate for Respondent No.2-Appointed

CORAM : NEERAJ P. DHOTE, J.

Dated : 7th May, 2026

PER COURT :-

1. This is an application under Section 482 of the Criminal Procedure Code, 1973 (for short 'Cr.P.C.') for quashing the FIR bearing Crime No.242/2023, registered with Manwat Police Station, District Parbhani for the offences punishable under Sections 498-A, 323, 504, 506 of the Indian Penal Code, 1860 (For short 'IPC') and consequential charge-sheet bearing No. 221/2023, which resulted in registration of R.C.C. No.135/2023, pending on the file of learned Judicial Magistrate,

First Class, Manwat, District Parbhani and the order of issuance of process in the said case against the Applicants.

2. The aforesaid crime was registered on the report lodged by Respondent No.2-Informant. She got married with Accused No.1 on 02.07.2017. After the marriage, she went to reside with her husband at her matrimonial home. Husband used to abuse and beat her; in-laws used to harass and beat her. Demand of dowry was made to open a Fabrication Shop. Due to harassment, she went to her parents' house. The report was lodged and the aforesaid crime came to be registered.

3. Heard the learned Advocate for the Applicants, learned APP for Respondent No. 1- State and learned Advocate for Respondent No.2-Informant. With their assistance, perused the papers on record.

4. The learned Advocate for the Applicants submits that he will not press the Application for Applicant No.3 Balaji Marotrao Dahe. He submits that, accepting the case as it is, except the vague, general and omnibus allegations, there is nothing to attract the crime against Applicant Nos 1, 2 and 4. He submits Applicant Nos. 1, 2 and 4 are roped in the crime by making false allegations. It is submitted that there is growing tendency of roping all family members of the husband in the crime. He submits that the Application be allowed to the extent of Applicant Nos. 1, 2 and 4.

5. It is submitted by the learned APP and learned Advocate for Respondent No.2 that, there are specific allegations of harassment against the the husband and Applicant No.3 Balaji Dahe. They fairly admit that except vague, general and omnibus allegations against Applicant Nos. 1, 2 and 4, there is nothing, which would attract the crime against them.

6. Perusal of the FIR, which is lodged by Respondent No.2 shows that, it is her case against Applicant Nos. 1, 2 and 4 that they used to tell her that they were defamed because of her and used to abuse her. The said allegations are vague and omnibus. There are no specifications in respect of the role/crime attributed to Applicant Nos. 1, 2 and 4. Except the vague and omnibus allegations, there is nothing which would prima facie attract the crime against Applicant Nos. 1, 2 and 4. Asking these Applicants to face the trial on the basis of such omnibus and vague allegations would amount to abuse of the process of law. In the facts and circumstances of the case, in my considered view, this a fit case to exercise the powers under Section 428 of Cr.P.C. in favour of Applicants Nos. 1, 2 and 4. Hence, the following order:

O R D E R

1. The Application is allowed to the extent of Applicants Nos. (1)- Raharan s/o Dnyanoba Kachave, (2) Heera w/o Rajaram Kachave and

(4) Janki w/o Balaji Dahe in terms of prayer Clauses (B)) and (B-I) which read as under:

(B) The Hon'ble Court may kindly quash and set aside the impugned charge Sheet bearing No.221 prepared on the basis of Complaint No. 242/2023 for the offence punishable under Sections 498-A, 323, 504, 506 and 34 of the Indian Penal Code, 1860 registered at Police Station Manwath as per the inherent powers of this Court u/s 482 of the Code of Criminal Procedure.

(B-1) The Hon'ble Court may kindly quash and set aside the impugned order of issuance of summons dated 25.09.2023 passed by Learned Judicial Magistrate First Class, Manwath in RCCN No. 135 of 2023;

2. The Application to the extent of Applicant No.3 Balaji Marotrao Dahe is disposed of as withdrawn.

3. Fees of the appointed Advocate is quantified to Rs.10,000/-, to be paid by the High Court Legal Services Sub Committee, Aurangabad.

(NEERAJ P. DHOTE, J.)