

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2019
(@ SLP (CRL) NO. (DIARY NO.1066) OF 2019

VYANKATRAO JANGALE & ANR. .. Appellant (s)

Versus

THE STATE OF MAHARASHTRA & ANR. .. Respondent(s)

O R D E R

Delay condoned.

Respondent No.2 married Vilas Jangale (Original Petitioner No.1) on 20.02.2014. On 01.03.2014, the Respondent No.2 along with her husband went to Boston, United States of America, where the husband of Respondent No.2 was working as a Scientist.

There was matrimonial discord between Respondent No.2 and her husband. Respondent No.2 came back to India and filed a complaint which was registered as FIR No.344 of 2017 at Shivajinagar Police Station, Latur on 19.10.2017 for the offences under Sections 498A, 406, 323 and 504 read with Section 34 IPC. It was stated in the complaint by Respondent No.2 that her husband and the appellants who are the mother-in-law, father-in-law, the sister-in-law and her

husband were ill-treating her and were demanding for more dowry. Specific allegations of physical assault were made against her husband for not complying with the demand of dowry.

The appellants, the husband of Respondent No.2, the sister-in-law and her husband filed an application for quashing the complaint in the Bombay High Court. The High Court quashed the FIR in respect of Respondent No.2's sister-in-law and her husband. However, the High Court dismissed the petition filed for quashing the FIR with respect to the appellants and the husband of Respondent No.2.

While issuing notice, the Special Leave Petition filed by the husband of Respondent No.2 was dismissed in view of the specific allegations made against him by Respondent No.2. However, notice was issued only qua Appellant Nos.2 and 3 who are the mother-in-law and father-in-law of Respondent No.2.

We have heard the learned counsel for the appellants and Respondent No.2 and carefully examined the FIR and the judgment of the High Court.

Respondent No.2 lived in the matrimonial home only for a period of 10 days after the marriage on 20.2.2014. Thereafter, she moved to the United States of America along

with her husband. The allegations that are made against the appellants are vague and do not warrant a criminal prosecution against them. We are of the opinion that the appellants, who are the mother-in-law and father-in-law with whom Respondent No.2 did not reside except for a period of 10 days immediately after the marriage, cannot be forced to face a criminal prosecution. It is relevant to note that there was no complaint of harassment during that period.

Therefore, we quash the FIR No. 344 of 2017 registered at Shivajinagar Police Station, Latur dated 19.10.2017 for the offences punishable under Sections 498A, 406, 323 and 504 read with Section 34 IPC as against Vyankatrao Jangale and Rukminbai.

The appeal is allowed.

.....J.
(L. NAGESWARA RAO)

.....J.
(HEMANT GUPTA)

New Delhi,
Dated: September 27, 2019

ITEM NO.21

COURT NO.9

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 1066/2019

(Arising out of impugned final judgment and order dated 06-08-2018 in CRLWP No. 1593/2017 passed by the High Court Of Judicature At Bombay At Aurangabad)

VYANKATRAO JANGALE & ANR.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

(IA No. 13184/2019 - CONDONATION OF DELAY IN FILING
IA No. 13187/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 13188/2019 - EXEMPTION FROM FILING O.T.)

Date : 27-09-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. Sachin Mittal, Adv.
Mr. Kanishk Khullar, Adv.
Mr. Vikrant Deshwal, Adv.
Mr. Rahul Joshi, AOR

For Respondent(s) Mr. Sudhanshu S. Choudhari, AOR

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

The appeal is allowed in terms of the Signed Order.

Pending application(s) stand disposed of.

(GEETA AHUJA)
COURT MASTER (SH)

(SUNIL KUMAR RAJVANSHI)
BRANCH OFFICER

(The Signed Order is placed on the file)