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Mr. Ganesh T. Jadhav, Advocate for Petitioners.

Ms. Priyanka S. Rane, APP for Respondent No. 1-State.

Ms. Kavita P. Shinde, Advocate for Respondent No. 2.

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CORAM : ABHAY J. MANTRI, J.

DATE : OCTOBER 01, 2026

ORAL JUDGMENT :

1. **Rule.** Rule made returnable forthwith and heard finally with the consent of the learned Advocates for the respective parties.

2. The Petitioners have invoked Section 482 of the Code of Criminal Procedure, 1973 (for short, "**Cr.P.C.**"), seeking quashing of the First Information Report bearing C.R. No. 0002 of 2025 registered with Vijapur Naka Police Station, Solapur City, Solapur (for short, "**the FIR**"), for the offences punishable under Sections 498-A, 323, 504 and 506 read with Section 34 of the Indian Penal Code, 1860 (for short, "**IPC**"), as well as the proceedings i.e. Regular Criminal Case No.1136 of 2025 pending before the learned Judicial Magistrate First Class, Solapur arising out of the said FIR.

3. Respondent No. 2-Pooja lodged the report against the Petitioners and her husband- , alleging that they had subjected her to cruelty by taunting her that she is barren and unable to conceive a child. It is also alleged that, sometime in the year 2024, her husband had taken her to the house of Petitioner No. 5 for doing household work such as washing clothes and utensils and thereby caused cruelty to her. They also abused her and drove her out of the house. Therefore, she lodged the report.

4. Pursuant to the report, the investigation was conducted, and the police filed a charge-sheet before the Trial Court. The charge-sheet is numbered as RCC No. 1136 of 2025 and is pending before the Trial Court.

5. Learned Advocate for the Petitioners vehemently contended that the allegations against the Petitioners are vague, omnibus and general in nature and that no specific role has been attributed to the Petitioners in the FIR. Therefore, the allegations made by Respondent No. 2 are reckless and motivated. He further submitted that Respondent No. 2 was residing with her husband, Prashant, at Pune, whereas her in-laws reside at Satara, Abu Dhabi, Ulhasnagar, and Ambernath; therefore, the question of their having subjected her to ill-treatment does not arise. However, Respondent No. 2 made false allegations against them to implicate them in the present crime with a view to pressurising her husband to take her back with him. Therefore, he urged for quashing of the FIR and the proceedings.

6. On the other hand, the learned APP for Respondent No. 1-State and learned Advocate for Respondent No. 2 strongly opposed the Petition, contending that in the FIR, it is alleged that the Petitioners taunted Respondent No. 2 on the ground that she is barren and unable to conceive a child. It is further alleged that her husband asked her to bring a four-wheeler from her father. Her husband took away her streedhan from her possession and abused and assaulted her at the instigation of the Petitioners. He drove her out of the house at the instigation of the Petitioners. Therefore, they submitted that the ingredients of Section 498-A of the IPC are attracted against the Petitioners and, as such, they urged for dismissal of the Petition.

7. Having heard the rival contentions of the parties and gone through the record, more particularly the FIR, as pointed out by the learned Advocates for the Petitioners and Respondent No. 2, it appears that the allegations against the Petitioners are vague, omnibus and general in nature.

Such as:

“माझी सासुसासरे व ननंद तसेच माझ्या सासरी सातारा येथे राहण्यास असणारा माझा मावस दिर सागर बनसोडे असे सर्व जण मिळून मला तुला मुल बाळ का होत नाही तु वांझोटी आहेस तुझ्यात शारीरीक दोष असल्यामुळे तुला कधीच मुल होणार नाही तु प्रशांतला घटस्फोट दे असे म्हणुन माझा मानसिक व शारीरीक छळ करण्यास सुरुवात केली तसेच मला अंत्यंत घाणेरड्या भाषेत शिवीगाळ देखील करत असत त्यांच्या या जासामुळे मी माझ्यावरती वैद्यकीय उपचार करणेकरीता माझ्या आई वडिलाकडून पैसे घेवुन माझ्यावर तसेच पती प्रशांत यांच्यावर देखील वैद्यकीय उपचार केले आहेत.”

8. Bare perusal of the allegations, it does not appear that any specific role has been attributed to the Petitioners in the FIR as to what they had done; rather, the allegations are general and omnibus in nature. The second allegation, on which the learned APP harp, is that Petitioner No. 5, at whose house her husband took her, had kept her at the said house at Badlapur, Kalyan, where she was asked to do household work such as washing clothes and utensils. However, *prima facie*, I do not find substance in the said allegation. Apart from that, even assuming that she was asked to wash clothes and utensils, such an act does not constitute the ingredients of Section 498-A of the IPC and cannot be termed as cruelty within the meaning of Section 498-A of the IPC.

9. Moreover, Respondent No. 2 has not mentioned the time, date, place or manner in which the alleged harassment occurred. Thus, the FIR and the entire charge-sheet fail to disclose the commission of an offence punishable under Section 498-A of the IPC against the present Petitioners.

10. It is also worth noting that Respondent No.2 was residing with her husband at Pune, whereas her in-laws were/are residing at Satara, Abu Dhabi, Ulhasnagar and Ambernath. Sometimes, she used to visit her in-laws' house at Satara, and on one occasion, it is alleged that she resided at the house of Petitioner No.5 at Badlapur. Thus, it seems that she was not living with them. So, the question of causing ill-treatment's at their hands does not arise.

11. In such an eventuality, in my view, mere vague and omnibus allegations that the Petitioners instigated the husband of Respondent No. 2 to abuse and assault her, as well as drove her out of the house, without disclosing any specific role played by them, cannot lead to a conclusion that they had subjected Respondent No. 2 to cruelty on the ground that she was unable to conceive a child or had harassed her with a view to forcing her to meet an unlawful demand for property.

12. Besides, the Hon'ble Supreme Court, in a catena of judgments, such as:

- (i) *Geeta Mehrotra and another versus State of U.P. and another*¹,
- (ii) *Kahkashan Kausar alias Sonam and others versus State of Bihar and others*,²
- iii) *Dara Lakshmi Narayana & others versus State of Telangana & Another*,³

After considering the various aspects of the matrimonial disputes, it has been held that the allegations of harassment against the husband's close relatives, who had been living in different cities and had never visited, or had rarely visited, the place where the complainant resided, would have an entirely different consideration. In such circumstances, the complainant's allegations must be scrutinised with great care and circumspection to ascertain the truth.

1 2012 (10) SCC 741

2 (2022) 6 SCC 599

3 2024 SCC OnLine SC 3682

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13. In the case at hand, it is undisputed that the in-laws are residing separately in different cities and that Respondent No. 2 used to visit her in-laws' house rarely. Considering the dictum laid down by the Hon'ble Supreme Court in the above judgments, the allegations in the FIR *prima facie* do not appear sufficient to constitute an offence under Section 498-A of the IPC against them.

14. In the light of the aforesaid discussion and the law laid down by the Hon'ble Supreme Court, in my view, it would not be appropriate to continue with the proceedings against the Petitioners before the learned Trial Court. The continuation of the proceedings against them would amount to an abuse of the process of law and would not serve the ends of justice. Therefore, it would be appropriate to exercise the inherent powers of this Court to quash the FIR and the proceedings pending against the Petitioners before the learned Trial Court in RCC No. 1136 of 2025.

15. As a result, ***the Petition is allowed in terms of prayer clauses (a) and (b), to the extent of the Petitioners only.***

16. Accordingly, the FIR bearing No. 2/2025 registered with Vijapur Naka Police Station, Solapur City, Solapur under Sections 498A, 323, 504, 506, 34 IPC, and the R. C. C. No. 1136/2025 pending before the learned Judicial Magistrate First Class, Solapur, are hereby quashed and set aside insofar as they concern the present Petitioners, i.e. (Accused Nos. 2 to 7).

17. The Rule is made absolute in the above terms. No order as to costs.
18. Inform the concerned Court accordingly.
19. The Petition stands disposed of in the above terms.

(ABHAY J. MANTRI, J.)

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