



CGHC010267552026

2026:CGHC:35948-DB
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 1810 of 2026

- 1 - Satyadev Tiwari S/o Late Bhagwat Prasad Tiwari Aged About 55 Years All Are R/o Village Krishna Vatika Colony, Boirdadar, Police Station Chakradhar Nagar, District Raigarh C.G.
- 2 - Kaushilya Urg Arti Tiwari W/o Satyadev Tiwari Aged About 50 Years R/o Village Krishna Vatika Colony, Boirdadar, Police Station Chakradhar Nagar, District Raigarh C.G.
- 3 - Aakash Tiwari S/o Satyadeve Tiwari Aged About 27 Years R/o Village Krishna Vatika Colony, Boirdadar, Police Station Chakradhar Nagar, District Raigarh C.G.
- 4 - Vikash Tiwari S/o Satadev Tiwari Aged About 21 Years R/o Village Krishna Vatika Colony, Boirdadar, Police Station Chakradhar Nagar, District Raigarh C.G.

... Petitioners

versus

- 1 - State of Chhattisgarh Through The Secretary, Home, Department Mantralaya Mahanadi Bhawan, Nawa Raipur District Raipur C.G.
- 2 - Superintendent of Police Bilaspur District Bilaspur C.G.
- 3 - Station House Officer, Police Station Pachpedi, District Bilaspur C.G.
- 4 - Shivani Tiwari W/o Aakash Tiwari Aged About 21 Years R/o Village Chisda, Police Station Pachpedi District Bilaspur C.G.

... Respondents

(Cause-title taken from Case Information System)

For Petitioners	:	Mr. Sumit Singh Rathore, Advocate
For State/Respondents No.1 to 3	:	Mr. Soumya Rai, Panel Lawyer
For Respondent No.4	:	Mr. Sunil Sahu, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge
Order on Board

Per Ramesh Sinha, Chief Justice

13.08.2026

1. Heard Mr. Sumit Singh Rathore, learned counsel for the petitioners. Also heard Mr. Soumya Rai, learned Panel Lawyer, appearing for respondents No. 1 to 3/State and Mr. Sunil Sahu, learned counsel, appearing for respondent No. 4.
2. Vide order dated 21.07.2026, this Court had referred the matter to the Mediation Centre for exploring the possibility of an amicable settlement between the parties. Pursuant thereto, the matter was received by the Mediation Centre on 29.07.2026 and mediation and conciliation proceedings were undertaken between the parties. However, as per the Mediation Report dated 11.08.2026, the mediation proceedings have ultimately failed and no settlement could be arrived at between the parties. It is, however, reflected in the said mediation proceedings that respondent No.4/wife has received an amount of Rs.50,000/- during the course of the mediation proceedings.
3. The present petition has been filed by the petitioners with the following prayer:

“It is, therefore, prayed that, this Hon'ble Court may kindly be pleased to quash the impugned chargesheet No.334/2025 (Annexure P-2) filed on 14-12-2025 along with the order sheet dated 27-12-2025 (Annexure P-1) passed by the Learned Judicial Magistrate First Class,

Bilaspur District Bilaspur (C.G) along with subsequent proceeding in Criminal Case No.36672/2025 (State of CG Vs Satyadev Tiwari and Others) arising out of the Crime/FIR No.370/2025 registered before the Police Station Pachpedi, Bilaspur, District Bilaspur (C.G) on 03-12-2025 against the petitioners for the offence punishable under section 85, 3(5) of BNS, in the interest of justice.”

4. Brief facts of the case, in a nutshell are that the petitioners are the father-in-law, mother-in-law, husband and brother-in-law, respectively, of respondent No.4. Petitioner No.3 and respondent No.4 solemnized their marriage on 22.05.2025 in accordance with Hindu rites and customs, whereafter respondent No.4 started residing with the petitioners at their matrimonial home situated at Krishna Vatika Colony, Boirdadar, Police Station Chakradhar Nagar, District Raigarh (C.G.). The petitioners were engaged in a small family business for their livelihood. According to the petitioners, respondent No.4 resided in the matrimonial home for about five months and thereafter, on 08.10.2025, left the matrimonial home and started residing at her parental home at Pachpedi, District Bilaspur.

5. Subsequently, on 28.10.2025, respondent No.4 submitted a complaint before the Mahila Thana, District Bilaspur, alleging harassment and cruelty by the petitioners in connection with dowry. It was alleged that the petitioners had demanded an amount of Rs.8-10 lakhs and a four-wheeler vehicle, namely, a Nexon car, and had also assaulted and harassed her on account of non-fulfilment of the alleged

demands. She further alleged certain disputes relating to food being prepared in the matrimonial home. On the basis of the complaint, counselling proceedings were conducted by the Mahila Thana, wherein the petitioners appeared and expressed their willingness to take respondent No.4 back to the matrimonial home without any condition; however, according to the petitioners, respondent No.4 declined the settlement and insisted upon registration of a criminal case.

6. Thereafter, respondent No.4 submitted a further complaint before Police Station Pachpedi, District Bilaspur. On the basis thereof, Crime No.370/2025 came to be registered against the petitioners for the offences punishable under Sections 85 and 3(5) of the Bharatiya Nyaya Sanhita, 2023. Upon completion of investigation, the police filed the charge-sheet before the learned Judicial Magistrate First Class, Bilaspur, on 27.12.2025. The proceedings were registered as Criminal Case No.36672/2025 (State of C.G. v. Satyendra Tiwari and Others) and are presently pending before the learned trial Court.

7. Aggrieved by the registration of the aforesaid criminal case and the continuation of the criminal proceedings arising therefrom, the petitioners have approached this Court by way of the present petition, seeking appropriate relief in respect of the said proceedings.

8. Mr. Sumit Singh Rathore, learned counsel appearing for the petitioners submits that the entire criminal prosecution initiated against the petitioners is an outcome of a matrimonial dispute and that the allegations levelled by respondent No.4 are inherently vague, omnibus

and bereft of any specific particulars. It is submitted that neither the FIR/complaint nor the charge-sheet discloses any specific date, time, place or particular overt act attributable to any of the petitioners, particularly petitioner Nos.1, 2 and 4, so as to constitute the ingredients of the offence punishable under Section 85 of the Bharatiya Nyaya Sanhita, 2023. According to learned counsel, the allegations have been made in a general and sweeping manner against all the family members with the sole object of subjecting them to rigours of criminal prosecution and exerting pressure upon petitioners in the matrimonial dispute.

9. Learned counsel further submits that the genesis of the dispute has been completely suppressed by respondent No.4. It is contended that, prior to the marriage, the petitioners were unaware of respondent No.4's frequent practice of making Instagram reels. After the marriage, petitioner No.3 noticed certain objectionable and obscene comments being posted by third parties on the reels uploaded by respondent No.4 and, being concerned about the same, merely requested her to exercise restraint in frequently uploading such videos. According to learned counsel, respondent No.4 objected to such advice, resulting in matrimonial discord, and the said dispute was subsequently given the colour of dowry harassment and cruelty. The relevant material regarding the comments made on the reels has been placed on record in a sealed envelope.

10. It is next submitted that the allegation regarding demand of a four-wheeler vehicle, particularly a Nexon car, is wholly improbable and

inherently unbelievable, inasmuch as the petitioners are financially well settled and already possess several four-wheelers and, therefore, there was no occasion or necessity for them to demand another vehicle from respondent No.4. Learned counsel also submits that the allegation relating to consumption of non-vegetarian food has been unnecessarily exaggerated and projected as an instance of harassment. Petitioner No.4 is stated to be a fitness enthusiast and occasionally consumes boiled eggs for fitness purposes; the same were prepared separately in his portion of the house and no other family member consumes or cooks non-vegetarian food. It is submitted that respondent No.4 nevertheless objected to the same and ultimately left the matrimonial home with her father.

11. Learned counsel further submits that the conduct of the petitioners throughout demonstrates their bona fides and negatives any allegation of cruelty or dowry harassment. It is pointed out that during the counselling proceedings conducted by the Mahila Thana, the petitioners expressed their willingness to take respondent No.4 back to the matrimonial home without imposing any condition. Despite such willingness, respondent No.4 declined to settle the dispute and insisted upon registration of a criminal case. It is also submitted that petitioner No.3 has already instituted proceedings under Section 9 of the Hindu Marriage Act before the competent Family Court, Raigarh, thereby demonstrating his intention to resume matrimonial cohabitation. According to learned counsel, respondent No.4 had been insisting that petitioner No.3 should live separately from his parents, which he

declined as petitioner Nos.1 and 2 are his aged parents and he has family responsibilities towards them.

12. Lastly, learned counsel appearing for the petitioners submits that the investigation conducted by the police is fundamentally defective, unfair and perfunctory, and that the investigating agency has failed to collect any independent, reliable or substantive material connecting the petitioners with the alleged offence. It is contended that the witnesses cited in the charge-sheet are essentially hearsay witnesses, whose statements are vague, omnibus and substantially identical, without disclosing any specific date, time, place or particular overt act attributable to any of the petitioners. It is further submitted that there is no material demonstrating the individual or active involvement of petitioner Nos.1, 2 and 4 in the alleged acts of cruelty, and that they have been implicated merely because of their relationship with petitioner No.3-husband. The investigating agency has not conducted the investigation in a fair and objective manner and has failed to undertake the necessary verification of the allegations from independent sources. According to learned counsel, no neutral witness has been examined and the statements relied upon by the prosecution are substantially based upon hearsay information. It is also submitted that the investigating officer has failed to record the statements of petitioner Nos.1, 2 and 3 and has not properly complied with the applicable procedural requirements governing investigation. Learned counsel, therefore, submits that the charge-sheet, insofar as it seeks to implicate the petitioners, is founded upon an inadequate and one-sided

investigation and does not disclose sufficient material warranting continuation of the criminal proceedings.

13. Learned counsel places reliance upon the judgments in ***Geeta Mehrotra and Another v. State of Uttar Pradesh and Another, (2012) 10 SCC 741***; ***K. Subba Rao and Others v. State of Telangana, (2018) 14 SCC 452***; and ***Arnesh Kumar v. State of Bihar and Another, (2014) 8 SCC 273***, to contend that in matrimonial disputes, the relatives of the husband cannot be subjected to criminal prosecution on the basis of vague, omnibus and general allegations without there being specific allegations disclosing their individual involvement. It is submitted that the tendency to implicate the entire family of the husband, particularly the aged parents and other relatives, merely because of their relationship, has been repeatedly deprecated by the Hon'ble Supreme Court.

14. Learned counsel also places reliance upon ***Lalita Kumari v. Government of Uttar Pradesh and Others, (2014) 2 SCC 1***, as well as ***Sathyavani Ponrani v. Samuel Raj, 2010 (4) CTC 833***, to submit that the investigation in a criminal case must be fair, impartial and consistent with the constitutional guarantees under Articles 14 and 21 of the Constitution of India. It is argued that the investigating agency has failed to place on record the relevant material concerning the preliminary enquiry allegedly conducted by the police and has also failed to furnish or incorporate the relevant extracts of the General Diary/Station Diary/Daily Diary. Such omissions, according to learned

counsel, demonstrate that the investigation was not conducted with the requisite fairness and due diligence.

15. It is, therefore, submitted that a bare consideration of the FIR, the statements of the witnesses and the charge-sheet does not disclose sufficient material constituting the essential ingredients of the alleged offence or furnishing reasonable ground for proceeding against the petitioners. Learned counsel submits that permitting the prosecution to continue in such circumstances would subject the petitioners to an unnecessary and prolonged criminal trial despite the absence of specific and legally sustainable allegations against them, thereby causing serious prejudice and amounting to an abuse of the process of law. Placing particular reliance upon ***State of Haryana and Others v. Bhajan Lal and Others, 1992 Supp (1) SCC 335***, learned counsel submits that where the allegations, even if taken at their face value and accepted in their entirety, do not prima facie constitute the alleged offence, or where the criminal proceeding is manifestly attended with mala fide and instituted with an ulterior motive for wreaking vengeance, this Court would be justified in exercising its inherent jurisdiction under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to prevent abuse of the process of law and to secure the ends of justice.

16. Learned counsel appearing for the State/respondent Nos.1 to 3, opposing the prayer made by the petitioners, submits that the present petition is devoid of merit and that the criminal proceedings initiated against the petitioners cannot be interdicted at this stage. It is submitted

that, pursuant to the complaint lodged by respondent No.4, a case was registered after due enquiry and investigation was thereafter conducted in accordance with law. Upon completion of investigation, the police, having found sufficient material disclosing commission of the alleged offences, filed the charge-sheet before the competent Court, pursuant to which Criminal Case No.36672/2025, is pending consideration. Learned State counsel submits that the allegations made by respondent No.4, coupled with the statements of the witnesses and other material collected during investigation, cannot be brushed aside merely on the ground that the petitioners describe the allegations as vague or motivated. It is further submitted that the disputed questions relating to the veracity of the allegations, the credibility of the witnesses, the circumstances in which respondent No.4 left her matrimonial home, the alleged demands of dowry and the respective roles of the petitioners are all matters which require appreciation of evidence and cannot appropriately be adjudicated in proceedings under Article 226 of the Constitution of India at the stage of considering quashing of the charge-sheet. Learned State counsel submits that the petitioners have raised several factual pleas in their defence, which may be available to them before the learned trial Court, but such disputed questions cannot constitute a ground for stalling a duly instituted criminal prosecution. It is, therefore, submitted that no exceptional circumstance has been made out warranting exercise of the inherent jurisdiction of this Court and, consequently, the petition deserves to be dismissed, leaving it open to the petitioners to raise all their factual and legal objections

before the learned trial Court in accordance with law.

17. Learned counsel appearing for respondent No.4 submits that, with a view to exploring an amicable resolution of the matrimonial dispute between the parties, the matter was referred to the Mediation Centre during the pendency of the present proceedings. It is submitted that the parties participated in the mediation proceedings and efforts were made to resolve the dispute amicably; however, despite such efforts, the mediation proceedings ultimately failed and no final settlement could be arrived at between the parties. He further submits that during the course of the mediation proceedings, respondent No.4/wife received an amount of Rs.50,000/- from the petitioners towards the amount offered in the course of the settlement discussions. It is, however, submitted that receipt of the aforesaid amount did not result in any complete or final settlement of the matrimonial dispute and the mediation proceedings were accordingly declared unsuccessful. Learned counsel, therefore, submits that respondent No.4 is not agreeable to the quashing of the criminal proceedings pending against the petitioners and opposes the prayer made in the present petition.

18. We have heard learned counsel for the parties and considered their rival submissions made hereinabove and also went through the records with utmost circumspection.

19. In the matter of ***Geeta Mehrotra and another v. State of Uttar Pradesh and another***¹, the Honb'ble Supreme Court has held that casual reference to the family member of the husband in FIR as co-

1 (2012) 10 SCC 741

accused particularly when there is no specific allegation and complaint did not disclose their active involvement. It was held that cognizance of matter against them for offence under Sections 498-A, 323, 504 and 506 of the IPC would not be justified as cognizance would result in abuse of judicial process.

20. In the matter of ***K. Subba Rao and others v. State of Telangana represented by its Secretary, Department of Home and others***² the Hon'ble Supreme Court delineated the duty of the criminal Courts while proceeding against relatives of victim's husband and held that the Court should be careful in proceeding against distant relatives in crime pertaining to matrimonial disputes and dowry deaths and further held that relatives of husband should not be roped in on the basis of omnibus allegations, unless specific instances of their involvement in offences are made out.

21. In the matter of ***Rashmi Chopra v. State of Uttar Pradesh and Another***³, it has been held by the Supreme Court relying upon the principle of law laid down in ***State of Haryana and others v. Bhajan Lal and others***⁴ that criminal proceedings can be allowed to proceed only when a *prima facie* offence is disclosed and further held that judicial process is a solemn proceeding which cannot be allowed to be converted into an instrument of oppression or harassment and the High Court should not hesitate in exercising the jurisdiction to quash the proceedings if the proceedings deserve to be quashed in line of

² (2018) 14 SCC 452

³ 2019 SCC OnLine SC 620

⁴ 1992 Supp (1) SCC 335

parameters laid down by the Supreme Court in **Bhajan Lal** (supra) and further held that in absence of specific allegation regarding anyone of the accused except common and general allegations against everyone, no offence under Section 498A IPC is made out and quashed the charges for offence under Section 498A of the IPC being covered by category seven as enumerated in **Bhajan Lal** (supra) by holding as under:-

“24. Coming back to the allegations in the complaint pertaining to Section 498A and Section 3/4 of D.P. Act. A perusal of the complaint indicates that the allegations against the appellants for offence under Section 498A and Section 3/4 of D.P. Act are general and sweeping. No specific incident dates or details of any incident has been mentioned in the complaint. The complaint having been filed after proceeding for divorce was initiated by Nayan Chopra in State of Michigan, where Vanshika participated and divorce was ultimately granted. A few months after filing of the divorce petition, the complaint has been filed in the Court of C.J.M., Gautam Budh Nagar with the allegations as noticed above. The sequence of the events and facts and circumstances of the case leads us to conclude that the complaint under Section 498A and Section 3/4 of D.P. Act have been filed as counter blast to divorce petition proceeding in State of Michigan by Nayan Chopra.

25. There being no specific allegation regarding any one of the applicants except common general allegation against everyone i.e. “they started harassing the daughter of the applicant demanding additional dowry of one crore” and the fact that all relatives of the husband, namely, father, mother, brother,

mother's sister and husband of mother's sister have been roped in clearly indicate that application under Section 156(3) Cr.P.C. was filed with a view to harass the applicants....."

22. The Hon'ble Apex Court, in ***Payal Sharma v. State of Punjab & Another*** {Cr.A. No. 4773/2024, decided on 26.11.2024} had, relying on the decision in ***Geeta Mehrotra*** (supra), ***Kahkashan Kausar @ Sonam & Others v. State of Bihar & Others*** {(2022) 6 SCC 599}, ***Bhajan Lal*** (supra), and ***Umesh Kumar v. State of Andhra Pradesh & Another*** {(2013) 10 SCC 591}, had quashed the FIR and the consequential proceedings emanating therefrom.

23. Very recently, the Hon'ble Apex Court, in ***Dara Lakshmi Narayan & Others v. State of Telangana & Another*** {Cr.A. No. 5199 of 2024, decided on 10.12.2024}, has observed as under:

"25. A mere reference to the names of family members in a criminal case arising out of a matrimonial dispute, without specific allegations indicating their active involvement should be nipped in the bud. It is a well-recognised fact, borne out of judicial experience, that there is often a tendency to implicate all the members of the husband's family when domestic disputes arise out of a matrimonial discord. Such generalised and sweeping accusations unsupported by concrete evidence or particularised allegations cannot form the basis for criminal prosecution. Courts must exercise caution in such cases to prevent misuse of legal provisions and the legal process and avoid unnecessary harassment of innocent family members. In the present case, appellant Nos.2 to 6, who are the members of the family of appellant No.1 have been living in

different cities and have not resided in the matrimonial house of appellant No.1 and respondent No.2 herein. Hence, they cannot be dragged into criminal prosecution and the same would be an abuse of the process of the law in the absence of specific allegations made against each of them.

26. In fact, in the instant case, the first appellant and his wife i.e. the second respondent herein resided at Jollarpeta, Tamil Nadu where he was working in Southern Railways. They were married in the year 2015 and soon thereafter in the years 2016 and 2017, the second respondent gave birth to two children. Therefore, it cannot be believed that there was any harassment for dowry during the said period or that there was any matrimonial discord. Further, the second respondent in response to the missing complaint filed by the first appellant herein on 05.10.2021 addressed a letter dated 11.11.2021 to the Deputy Superintendent of Police, Thirupathur Sub Division requesting for closure of the said complaint as she had stated that she had left the matrimonial home on her own accord owing to a quarrel with the appellant No.1 because of one Govindan with whom the second respondent was in contact over telephone for a period of ten days. She had also admitted that she would not repeat such acts in future. In the above conspectus of facts, we find that the allegations of the second respondent against the appellants herein are too far-fetched and are not believable.

27. xxx xxx xxx

28. *The inclusion of Section 498A of the IPC by way of an amendment was intended to curb cruelty inflicted on a woman by her husband and his family, ensuring swift intervention by the State. However, in recent*

years, as there have been a notable rise in matrimonial disputes across the country, accompanied by growing discord and tension within the institution of marriage, consequently, there has been a growing tendency to misuse provisions like Section 498A of the IPC as a tool for unleashing personal vendetta against the husband and his family by a wife. Making vague and generalised allegations during matrimonial conflicts, if not scrutinized, will lead to the misuse of legal processes and an encouragement for use of arm twisting tactics by a wife and/or her family. Sometimes, recourse is taken to invoke Section 498A of the IPC against the husband and his family in order to seek compliance with the unreasonable demands of a wife. Consequently, this Court has, time and again, cautioned against prosecuting the husband and his family in the absence of a clear *prima facie* case against them.

29. We are not, for a moment, stating that any woman who has suffered cruelty in terms of what has been contemplated under Section 498A of the IPC should remain silent and forbear herself from making a complaint or initiating any criminal proceeding. That is not the intention of our aforesaid observations but we should not encourage a case like as in the present one, where as a counterblast to the petition for dissolution of marriage sought by the first appellant-husband of the second respondent herein, a complaint under Section 498A of the IPC is lodged by the latter. In fact, the insertion of the said provision is meant mainly for the protection of a woman who is subjected to cruelty in the matrimonial home primarily due to an unlawful demand for any property or valuable security in the form of dowry. However, sometimes it is misused as in the present case.

30. In the above context, this Court in *G.V. Rao vs. L.H.V. Prasad*, (2000) 3 SCC 693 observed as follows:

“12. There has been an outburst of matrimonial disputes in recent times. Marriage is a sacred ceremony, the main purpose of which is to enable the young couple to settle down in life and live peacefully. But little matrimonial skirmishes suddenly erupt which often assume serious proportions resulting in commission of heinous crimes in which elders of the family are also involved with the result that those who could have counselled and brought about rapprochement are rendered helpless on their being arrayed as accused in the criminal case. There are many other reasons which need not be mentioned here for not encouraging matrimonial litigation so that the parties may ponder over their defaults and terminate their disputes amicably by mutual agreement instead of fighting it out in a court of law where it takes years and years to conclude and in that process the parties lose their “young” days in chasing their “cases” in different courts.”

31. Further, this Court in *Preeti Gupta vs. State of Jharkhand* (2010) 7 SCC 667 held that the courts have to be extremely careful and cautious in dealing with these complaints and must take pragmatic realities into consideration while dealing with matrimonial cases. The allegations of harassment by the husband’s close relatives who had been living in different cities and never visited or rarely visited the place where the complainant resided would have an entirely different complexion. The allegations of the complainant are required to be scrutinized with great care and circumspection.

32. We, therefore, are of the opinion that the impugned FIR No.82 of 2022 filed by

respondent No.2 was initiated with ulterior motives to settle personal scores and grudges against appellant No.1 and his family members i.e., appellant Nos.2 to 6 herein. Hence, the present case at hand falls within category (7) of illustrative parameters highlighted in Bhajan Lal. Therefore, the High Court, in the present case, erred in not exercising the powers available to it under Section 482 CrPC and thereby failed to prevent abuse of the Court's process by continuing the criminal prosecution against the appellants."

Observing the aforesaid, the Hon'ble Apex Court quashed the FIR, the charge-sheet and the consequential criminal proceedings pending before the learned trial Court.

24. Having considered the material placed on record, this Court finds that the allegations levelled by respondent No.4 against petitioner Nos.1, 2 and 4 are general, vague and omnibus in nature. Though respondent No.4 has alleged demand of Rs.8-10 lakhs, demand of a four-wheeler vehicle and harassment on account of dowry, the allegations do not disclose any specific date, time, place or particular overt act attributable individually to petitioner Nos.1, 2 or 4. The charge-sheet also does not disclose any material demonstrating their specific or active participation in any act constituting the offence punishable under Section 85 of the Bharatiya Nyaya Sanhita, 2023. The material placed before this Court further indicates that the matrimonial discord primarily arose between petitioner No.3 and respondent No.4, inter alia, with regard to respondent No.4's frequent use of social media and making of Instagram reels, and the objection raised by petitioner No.3 upon finding

objectionable comments being posted by third persons on such reels.

25. This Court also finds significance in the conduct of the parties immediately preceding the institution of the criminal proceedings. Respondent No.4 had initially approached the Mahila Thana, Bilaspur, where counselling proceedings were undertaken. During the course of counselling, the petitioners expressed their willingness to take respondent No.4 back to the matrimonial home without imposing any condition; however, the dispute could not be resolved as respondent No.4 insisted upon registration of a criminal case. Thereafter, on the basis of her subsequent complaint, Crime No.370/2025 came to be registered at Police Station Pachpedi, District Bilaspur, and the investigation culminated in filing of the charge-sheet. The fact that the petitioners had expressed their willingness to resume matrimonial cohabitation is a circumstance which, though by itself may not determine the criminal liability, is relevant while examining the overall nature and background of the matrimonial dispute. The record further shows that petitioner No.3 has instituted proceedings under Section 9 of the Hindu Marriage Act before the competent Family Court, which also reflects the continuing matrimonial dispute between petitioner No.3 and respondent No.4.

26. Another circumstance which cannot be lost sight of is that, during the pendency of the present proceedings, this Court had made an endeavour to facilitate an amicable resolution of the matrimonial dispute by referring the matter to mediation vide order dated 21.07.2026.

Pursuant thereto, the matter was received by the Mediation Centre on 29.07.2026 and mediation and conciliation proceedings were undertaken between the parties. However, as reflected from the Mediation Report dated 11.08.2026, the mediation proceedings ultimately failed and no final settlement could be arrived at between the parties. It is, however, recorded that respondent No.4 received an amount of Rs.50,000/- during the course of the mediation proceedings. The receipt of the said amount, by itself, does not amount to a settlement or extinguishment of the criminal allegations; nevertheless, the failure of mediation despite the efforts made by the parties is a relevant circumstance in appreciating the present status of the matrimonial dispute.

27. It is well settled that while exercising jurisdiction under Article 226 of the Constitution of India and the inherent jurisdiction under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, this Court is not required to conduct a meticulous appreciation of the evidence as would be undertaken during trial. At the same time, where the allegations contained in the complaint/FIR and the material collected during investigation, even if accepted at their face value, fail to disclose the essential ingredients of the alleged offence, or where the prosecution is founded upon vague and omnibus allegations against the relatives of the husband without disclosing their individual involvement, the continuation of such proceedings may amount to an abuse of the process of law. In the present case, apart from the broad allegations of dowry demand and harassment, the prosecution material does not

disclose any concrete or specific incident of cruelty attributable to each of the petitioners. The Supreme Court has repeatedly cautioned that relatives of the husband should not be subjected to criminal prosecution merely on account of their relationship with the husband in the absence of specific allegations disclosing their individual role.

28. On an overall consideration of the allegations, the material collected during investigation, the nature of the matrimonial dispute and the circumstances in which the criminal proceedings came to be instituted, this Court is of the considered opinion that continuation of the prosecution against the petitioners would serve no useful purpose. The allegations against petitioner Nos.1, 2 and 4 are bereft of the requisite particulars and do not disclose their individual involvement in the alleged acts of cruelty. The investigation has also failed to bring on record any independent or substantive material which could lend necessary support to the allegations. The prosecution witnesses are substantially hearsay in nature and the charge-sheet does not disclose any specific incident with regard to the alleged harassment, demand or cruelty attributable to the individual petitioners. In such circumstances, compelling the petitioners to undergo the entire rigours of a criminal trial, when the foundational allegations themselves do not make out the essential ingredients of the offence, would amount to subjecting them to unnecessary harassment and would constitute an abuse of the process of law. The case, therefore, warrants interference by this Court to secure the ends of justice.

29. In view of the foregoing discussion and having regard to the totality of the facts and circumstances of the case, this Court is satisfied that the continuation of the criminal proceedings against the petitioners would amount to an abuse of the process of law. The allegations made against the petitioners, when tested on the touchstone of the material contained in the FIR and the charge-sheet, do not disclose sufficient and specific material constituting the ingredients of the offence punishable under Section 85 of the Bharatiya Nyaya Sanhita, 2023, particularly in relation to the individual role of petitioner Nos.1, 2 and 4. The subsequent mediation proceedings, though unsuccessful, also demonstrate that efforts were made to resolve the underlying matrimonial dispute.

30. Consequently, this is a fit case for exercise of the inherent jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Accordingly, the present petition is **allowed** and the criminal proceedings arising out of Crime No.370/2025, registered at Police Station Pachpedi, District Bilaspur, for the offences punishable under Sections 85 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, culminating in Criminal Case No.36672/2025 pending before the learned Judicial Magistrate First Class, Bilaspur, including the charge-sheet and all consequential proceedings arising therefrom, are hereby quashed qua the present petitioners.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice