

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3717 OF 2024

Lyndon Patros

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Yash CP Vyas, for the Petitioner.

Mr. Anand S. Shalgaonkar, APP for Respondent No.1-State.

Ms. Sejal Patel, for Respondent No.2.

**CORAM : SARANG V. KOTWAL AND
DR. NEELA GOKHALE, JJ.**

DATE : 14th NOVEMBER 2024.

P.C.:-

1) Leave to amend to add case number in the prayer clause granted. Amendment be carried out forthwith.

2) This Petition is filed for quashing of the offences registered vide C.R.No. 92 of 2024 at Kashigaon Police Station, Mira-Bhayandar, Vasai-Virar on 5th May 2024 under Section 498-A read with 34 of the Indian Penal Code, 1860 ('IPC'). The Petitioner is the husband of the Respondent No.2, i.e., the First Informant. There are two other accused, i.e., parents of the Petitioner. However, learned counsel for the parties inform the Court that they are in London and they have

taken no steps. They have practically disowned the Petitioner. The FIR mentions that the Informant and the Petitioner were in a love relationship since 2013. They got married on 28th December 2016. After marriage, there used to be frequent quarrels between them. Petitioner used to beat the Informant. His parents always used to take his side and used to throw the Informant out of the house. The Informant came to know that the Petitioner had extra-marital relationships with other women. The FIR mentions as to how she was harassed. On these allegations, the FIR is lodged.

3) During the pendency of the investigation, the parties arrived at settlement. Respondent No.2 is present in the Court. She has filed an Affidavit giving no objection for quashing the FIR. She is identified by her counsel. Respondent No.2 has reiterated in the Court that she has no objection if the FIR is quashed against the Petitioner. She added that she has no objection if the FIR is quashed against the two other accused, i.e., parents of the Petitioner also. Affidavit mentions that there are Consent Terms entered into between the parties.

4) Considering that since the dispute between the parties is purely personal in nature and the parties have decided to settle their

disputes, we are inclined to quash the FIR. The couple has a son and both of them have stated before the Court that they will be taking care of their son. In the circumstances, the following order is passed:

ORDER

(i) Offences registered vide C.R.No. 92 of 2024 at Kashigaon Police Station, Mira-Bhayandar, Vasai-Virar on 5th May 2024 and the consequent Criminal Proceeding against the Petitioner and other two accused are quashed and set aside.

5) Petition is allowed and disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)

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