



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1325 OF 2025

Shubham Ashok Thombre

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondent

.....
Advocate for Applicant : Mr. Shekade Shashikant E
APP for Respondents: Mr. B.V. Virdhe.

CORAM : MEHROZ K. PATHAN, J.

DATE : 19th JANUARY, 2026.

P.C. :-

1. The applicant has approached this court seeking anticipatory bail in connection with Crime No. 373 of 2025, registered with MIDC, Latur Police Station, Dist. Latur, for the offence punishable under Sections 117-2, 118-1, 118-2, 189-2, 190, 191-2, 193-3, 333, 351-2, 353 r/w. 3-5 of the Bhartiya Nyaya Sanhita

2. The case of the prosecution is that on 3.5.2025 between 7.00 p.m. to 7.30 p.m. the informant alongwith his family members was at his house. At that time, Shubham Thombre (present applicant), his parents and sister of Shubham Vaishnavi came to his house in a Scorpio. They started to abuse him and his family members. They were asking to send Shweta with them. The complainant alleged that the accused assaulted him by stone due to which he sustained injury on his teeth. It is alleged that Shubham Thombre assaulted him by fists and kick blows. As such, the FIR was lodged.

3. The learned counsel for the applicant submits that, this Court vide order dated 31.07.2025 protected the applicant with a direction to attend the police station on every Monday at 11.30 a.m. Accordingly, the applicant has attended the Police station and cooperated with the investigating in pursuance to the said order. The learned counsel for the applicant submits that there is nothing to be investigated. There were serious matrimonial disputes between the complainant and applicant. They attended a meeting to resolve the dispute. However, a sudden quarrel took place and there was no pre-meditation or intention to assault any of the accused . The allegation against the applicant is that of using a wooden stick to assault the complainant on his hand, which is not a vital part. The applicant has deep roots in the society and he is ready to abide by any condition that may be imposed by this Court. The applicant is not a flight risk and hence, may be released on anticipatory by confirming the interim order dated 31.7.2025.

4. Per contra, learned App vehemently opposes the application on the ground that the applicant is alleged to have assaulted the complainant by means of a wooden stick. The injury certificate of complainant Shubham Ghodke shows that the complainant has received a grievous injury apart from two other injuries. The Medical certificate of Nanda though shows injuries sustained as simple, however, perusal of certificate reveals that the victim Nanda has sustained contused lacerated wound, contusions and other injuries. The spot panchanama also shows that an iron rod, stick and stones were used in the commission of offence. The applicant is having criminal antecedents. There is one crime No. 51 of 2022 registered wit Beed Police station for the offences under Section 384, 341, 120B of IPC which is now registered as RCC No. 174 of 2022, wherein, summonses are issued and applicant is shown as absconding in that case. The learned APP expressed an apprehension that the

applicant may flee away from the ends of justice, if released on bail, and may not be available for trial looking to the conduct of the applicant. As such, the application may be rejected.

5. I have seen the investigation papers made available by the learned APP. The investigation papers shows that the weapons used in the offence are seized from the spot, i.e. iron rod, wooden stick and stone. However, the FIR itself shows that a meeting was called to settle the matrimonial dispute between the applicant and complainant. The said circumstance, corroborates the contention of the learned counsel for the applicant that the incident is a result of quarrel that has taken place due to heated arguments of the complainant and his family members and the applicant. Thus, false implication of the applicant cannot be ruled out at this stage, as the applicant happens to be the husband of the sister of complainant. However, the observations made herein are prima facie in nature and are made only for the purpose of deciding the present application and may not influence the trial court. The apprehension of the learned APP can be taken care of, by imposing stringent conditions.

6. Thus, taking into consideration the fact that the applicant has complied with the interim order passed by this Court dated 31.7.2025, I am inclined to protect the applicant. Hence, the following order :-

ORDER

[I] The application is allowed.

[II] The interim order dated 31.7.2025 is hereby confirmed.

[III] The applicant shall attend the police station on 29th, 30th January, 2026 and 5th and 6th February, 2026 and thereafter, as and when called by the Investigating Officer till the filing of charge sheet.

[iv] The applicant shall attend the police station twice every month i.e. on 15th and 16th of every month, till framing of charge and

recording of evidence of PW-1.

[v] A single violation of the conditions shall entitle the prosecution to seek cancellation of bail.

[iv] The applicant shall not tamper with the prosecution evidence and threaten the witnesses.

[v] The applicant shall submit his Aadhar and Pan card to the Investigating Officer alongwith mobile numbers and addresses of two of his near relatives and his current address.

[IV] The application stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-