



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPEAL NO. 39 OF 2026**

VAIBHAV RAJU THOKAL (PATIL)

**Vrs.**

STATE OF MAHARASHTRA AND ANOTHER

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Shri S. S. Shinde, Advocate for appellant.  
Shri S. C. Joshi APP for respondent No.1.  
Shri M. S. Gawai, Advocate for respondent No.2.

**CORAM: Y. G. KHOBRAGADE, J.**

**DATE : 11/06/2026.**

1. Heard at length Shri S. S. Shinde, learned counsel appearing for the appellant, Shri S. C. Joshi, learned APP for the respondent No.1 and Shri M. S. Gawai, learned counsel appearing for the respondent No.2 – victim.

2. By the present appeal, the appellant challenged the order dated 18/12/2025 passed below Exh.14 in Special Atrocities Case No.71/2025 by the learned Sessions Judge, Washim, whereby the bail granted to the appellant vide order dated 03/07/2025 in Criminal Application (BA) No.196/2025 has been revoked.

3. Having regard to the submissions canvassed on behalf of both sides, I have gone through the record.

4. It is not in dispute that, on the basis of the report lodged by the respondent No.2, Crime No.473/2025 registered against the present appellant for

the offence punishable under Section 69 of the BNS and Sections 3(1)(w)(ii), 3(2)(v) of the SCST (Prevention of Atrocities) Act.

5. It is a matter of record that, on 03/07/2025, the learned Additional Sessions Judge, Washim passed an order in Criminal Application (BA) No.196/2025 and enlarged the appellant – accused on bail in said crime with condition that, the appellant – accused should not enter into the locality of the complainant / respondent No.2 and he shall not contact with the respondent No.2 in any manner, so also, the appellant / accused shall not put any pressure on the prosecution witnesses and shall not tamper the evidence of the prosecution.

6. The respondent No.2 had filed Exh.14 application seeking cancellation on bail granted on 03/07/2025 on the ground that after the appellant – accused released on bail, he contacted with her saying that he loves her and he wanted to marry with her, hence, the appellant violated bail condition. Thereafter, on 14/08/2025, the appellant – accused took her from Washim to Khargar, Mumbai and kept her in the house of his friend, where he developed sexual relations with her. It is also alleged that he extended threats to her life.

7. The appellant – accused filed reply and denied the contentions of the respondent No.2 stating that he never visited the respondent No.2 – victim and he has not breached Condition No.3 of the bail order dated 03/07/2025.

8. Per contra, it is the case of the appellant / accused that, the respondent No.2 – victim had issued him threat for committing suicide, if the appellant – accused did not perform marriage with her. Further, the respondent No.2 – victim has herself purchased the stamp paper from the Stamp Vendor and executed the affidavit and solemnized marriage on 15/10/2025 in the presence of priest.

9. Needless to say that a Crime No.473/2025 registered against the appellant for the offence punishable under Section 69 of the BNS and Sections 3(1)(w)(ii), 3(2)(v) of the SCST (Prevention of Atrocities) Act. On 03/07/2025, the learned Additional Sessions Judge, Washim granted bail on condition that appellant shall not enter in the locality of respondent No.2, but it has been alleged about violation of bail condition. Even if it is presumed that the appellant – accused violated Condition No.3 of bail order dated 03/07/2025 passed in Criminal Application (BA) No.196/2025, but the respondent No.2 accompanied with the appellant at the place of marriage. The appellant and the respondent No.2 already solemnized marriage on 04/09/2025 in Saubhagyawati Mangal Karyalaya and Marriage Certificate to that effect is placed on record. The respondent No.2 herself stated that the appellant took her at Khargar and she accompanied with him but she has not raised any hue and cry while travelling from Washim to Khargar. The photographs placed on record about the solemnization of marriage

between the appellant and respondent No.2 are not disputed.

10. There are no allegations that the appellant – accused pressurized any witnesses or tampered the prosecution witnesses. However, on 18/12/2025, learned Sessions Judge, Washim passed the impugned order holding that the appellant – accused violated Condition No.3 of the order dated 03/07/2025 and cancelled the bail, which does not appear to be justifiable. Therefore, the impugned order dated 18/12/2025 passed below Exh.14 in Special Atrocity Case No.71/2025 is hereby quashed and set aside.

11. The bail granted on 03/07/2025 by the learned Additional Sessions Judge, Washim in Criminal Application (BA) No.196/2025 is hereby restored on the same terms and conditions.

12. The appeal stands disposed of accordingly.

[JUDGE]