

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1839 of 2022

Aishwarya Kishor Bhurke .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr.Keshav Borhade for the applicant.
Ms.A.A. Takalkar, APP for the State.
API Smt.Shabnam Mujawar from Kalachowky police station.

CORAM: BHARATI DANGRE, J.
DATED : 7th JULY, 2022

P.C:-

- 1 Heard the learned counsel for the applicant.
- 2 The applicant is seeking protection from arrest in C.R.No. 94/2021 registered with Kala Chowky police station, which invoke offence punishable u/s.406, 420 r/w Section 34 of the IPC. One Mahesh Kulkarni is also arraigned as accused and it is informed that he is already in custody.
- 3 The accusations faced by the applicant, who is the wife of Late Kishor Parshuram Bhurke, was running a jewellery shop as “K.B.L. Jewellers” at Lalbaug. After his demise, it is alleged that the applicant was looking after the said business and

one Mahesh @ Bala Kulkarni was working as an artisan with her. The complainant alleged that she had handed over her gold bangles about 44.770 gms and one gold chain in the shop run by the applicant for the purpose of carrying out repairs. However, since she did not receive the ornaments back and she could notice that there were evasive answers given by the accused persons, she lodged the complaint.

4 The learned APP state that several other investors/ persons who have handed over the gold jewellery in the said shop for distinct purposes, have recorded their statements with the Investigating Officer and this include 62 persons.

5 The learned counsel for the applicant would submit that the applicant is not at all involved in the entire activity, but the learned APP submit that the gumasta license under the Shop and Establishment Act stand in the name of the applicant. The learned APP has also invited my attention to various vouchers where the applicant has accepted the cash and issued receipts. Since 2013, she is looking after the business and therefore, when the ornaments are taken from the customers, it was the duty to return them back since they were entrusted to her as the owner of the shop. Failure to do so, has resulted result in invocation of Section 406 and 420 of the IPC.

In the wake of the above, custodial interrogation of the applicant is very much necessary.

Application is dismissed.

(SMT. BHARATI DANGRE, J.)