

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS  2026:UHC:3129
			<u>BA 1st No.25 of 2026</u> "Salma Vs. State of Uttarakhand" <u>Hon'ble Ashish Naithani, J.</u> Mr. Gaurav Singh, learned counsel for the Applicant. 2. Mr. S.S. Chauhan, learned DAG with Mr. Vikash Uniyal, learned Brief Holder, for the State of Uttarakhand. 3. In the High Court of Uttarakhand, the present case arises from Bail Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail for the Applicant – Salma, who has been accused in FIR/Case Crime No.271 of 2025, dated 11.10.2025 under Sections 137 (2), 143 (4) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Piran Kaliyar, District Haridwar. 4. The present matter relates to human trafficking that too of an infant of three months. The prosecution story begins with lodging of the FIR by the father of the victim infant child of his missing child with the statement that he along with his wife were on the way to pilgrimage of mausoleum/tomb of "Piran Kaliyar", was sleeping near a shop by the side of the road, and when on 11.10.2025, in the morning hours at 3:40 AM, when he got tea for his wife, he did not find his son, then he woke up his wife and searched for the lost son, but he could not found. The missing report was lodged and the thereafter Police started searching for the lost infant, and ultimately he was located with one Sri Vishal Kumar Gupta, who informed the Police that he bought the said infant child with expending money of Rs.4,90,000/- from one Smt. Neha Sharma. When the Police reached Smt. Neha Sharma, she

		further narrated of changing head of the said child from Smt. Anchan Devi, expending money of Rs.3,90,000/-. Further trail led to one Anchan Devi, from whose possession the money of Rs.55,000/- was also recovered. The chain led to the present Applicant – Smt. Salma, from whom Smt. Anchan Devi bought the child for Rs.3,00,000/- and when the Police apprehended the present Applicant – Smt. Salma, it came to light that Smt. Salma, was the person, who stole the infant from the custody of his mother, who was unaware and asleep besides shop from the road side near the shop, where she alongwith the child and husband was sleeping. 5. Learned counsel representing the Applicant submits for the consideration of the bail that the co-accused have been granted bail, the person from whose custody, namely, Vishal Kumar Gupta, the said three months infant was recovered, had been granted bail and so were the other persons and considering the parity Applicant – Smt. Salma, also be released on bail. 6. The bail application has been opposed on behalf of the learned State Counsel submits that it is a case of human trafficking and it is a heinous crime against the society. 7. Considering the fact, at this juncture, while considering the factum of bail, this Court finds that the ground for releasing the present Applicant on bail would not be justified as the grounds are also not sufficient. The present matter is beyond parity. The co-accused, namely, Smt. Neha Sharma and Smt. Anchan Devi and Sri Vishal Kumar Gupta, have been granted bail from this Court but their role is not so serious or to say a criminal in nature as compare to the present
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		Applicant – Salma, who is involved in stealing the infant from her parents, who lay besides the road on the way to pilgrimage to the mausoleum/tomb of “Piran Kaliyar”. It is very heartening for the parents, especially for the mother whose three months infant got lost/stolen and she would not know of the well being of the child or any whereabouts of missing/stolen infant child, that too of three months old only. This is one of the very serious crime, and against the society and it leads to inflicting severe physical and mental suffering while violating fundamental human rights. It represents a grave security crisis, often linked to trafficking, forced labour, or sexual exploitation. 8. Considering the overall facts and circumstances of the case, the Applicant has not made out a case for bail. Consequently, the bail application of the Applicant – Salma W/o Raja, is hereby rejected. (Ashish Naithani, J.) 24.04.2026 Nitesh/
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