

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH**

**CRM-M-48477-2019  
Date of decision: 20.11.2019**

**Seema**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Ms. Aashna Gill, Advocate  
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

**ARVIND SINGH SANGWAN, J. (Oral)**

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 263 dated 04.10.2019, registered under Sections 370 and 120-B of the IPC at Police Station Civil Lines, Patiala.

Learned counsel for the petitioner submits that as per the allegations in the FIR, registered at the instance of complainant Rakesh Kumar, it is stated that he is working as a labourer and he along with his family had gone to take medicine to Rajindra Hospital, Patiala. It is further stated in the FIR that father of the complainant, namely Sakai Ram, used to say that he will sell the son of the complainant, namely Prince, for money in order to resolve their financial crisis. On 02.10.2019, Sakai Ram and Krishan, parents of the complainant, took Prince to Rajindra Hospital, Patiala for taking some medicine and later on, Sakai Ram informed complainant that a lady has taken away his son Prince by playing fraud and the complainant had a suspicion that his father has sold his son to that lady

in the premises of the said hospital.

Learned counsel for the petitioner further submits that during investigation, the police arrested the parents of the complainant and they informed that the child was handed over to one Saroj Bala in the presence of one Mamta and thereafter, said Saroj Bala was arrested and she disclosed the name of Mamta. On further arrest of Mamta, her disclosure statement was recorded, in which she stated that she had acquaintance with one Kamlesh Rani, who informed her that she knew a party who is interested for purchasing a child for Rs. 2 Lakh. Thereafter, upon arrest of Kamlesh Rani, she informed that she had discussed the matter with her friend Usha Thakur and Usha Thakur had sought time to discuss the same with her friend Seema, the present petitioner.

Learned counsel for the petitioner further submits that the petitioner has been involved in the present FIR on the basis of a chain of disclosure statements, in which the accused persons were putting the allegations on others and the petitioner was arrested on the basis of the aforesaid multiple disclosures, recorded by the police.

Learned counsel for the petitioner further submits that petitioner is not involved in any other case and she is in judicial custody since 10.10.2019. It is further submitted that so far the petitioner is concerned, the investigation is complete and she is no more required for any further custodial investigation.

Learned counsel for the petitioner further submits that petitioner is a lady, aged about 42 years, and she has her own family to look after.

Learned State counsel, on instructions from SI Mewa Singh and

on the basis of the custody certificate filed today in Court, submits that seven accused persons have already been arrested and on the basis of the disclosure statements, the petitioner was arrested.

Learned State counsel further submits that only one accused, i.e. Usha Rani, remains to be arrested and since the petitioner is the resident of Saharanpur, U.P., she should not be granted bail as there is possibility of her fleeing away from the Court proceedings. It is further submitted that during investigation, it has come that the child was sold in many hands from one accused to another by taking money and recovery of some amount was also effected from the petitioner.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody since 10.10.2019; she is a lady and has to take care of her own family; she is no more required for any further custodial investigation and also in view of the fact that she is not involved in any other case; the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing bail bonds and two heavy sureties to the satisfaction of the trial Court/Duty Magistrate concerned.

**20.11.2019**

*Waseem Ansari*

**(ARVIND SINGH SANGWAN)  
JUDGE**

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*