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2023:PHHC:074580

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

**CRM-M-59101-2022
DECIDED ON: 15.03.2023**

SRIKANT

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Rajiv Kataria, Advocate for
Mr. Aman Joon, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 5, dated 08.01.2022, under Sections 370(5), 34 IPC and Section 81 of Juvenile Justice (Care and Protection of Children) Act, 2015, registered at Police Station DLF, Phase-III, Gurugram.
2. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case on the basis of disclosure statement of the co-accused namely Anil. In fact, there is no specific role has been attributed to the petitioner. It is his assertion that in fact the child was adopted by the petitioner on 20.12.2021 from one Surinder Kaur, for which he placed reliance upon adoption deed dated 20.12.2021 (Annexure P-9). He further asserts that the co-accused have already been granted the concession of regular bail.

3. Mr. Chhina, learned State counsel has vehemently opposed the prayer made in the present petitioner alleging that during investigation the investigating agency has found that a big racket is functioning and carrying the business of trafficking of infant child. He argues that an infant was recovered from the custody of the petitioner and Section 81 of Juvenile Justice Act was added later on. Accordingly, he prays for dismissal of the present petition.

4. The allegations against the petitioner are very grave and serious in nature wherein, the petitioner is involved in the business of trafficking of infant child. A perusal of the confessional statement of the co-accused Anil makes it evident that he along-with other co-accused is engaged in buying and selling the small children. He further admits that he sold a small female child to the petitioner.

5. Keeping in view the seriousness of the offence, this Court court does not deem it a fit case for enlarging the petitioner on regular bail. Accordingly, the present petition is dismissed being devoid of any merits.

(SANDEEP MOUDGIL)
JUDGE

15.03.2023

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No