



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

245+174 (1)

CRM-M-18432-2026 (O&M)

Date of Decision: 27.05.2026

SUNITA DEVI

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. S.S. Kalra, Advocate, for the petitioner.

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (ORAL)

CRM-23956-2026

1. Prayer in the present application under Section 482 Cr.P.C. is for adding the offence of Section 111(3) of BNS and Section 81 of Juvenile Justice Act, in the heading as well as in prayer clause of the main petition CRM-M-18432-2026.

2. Learned counsel for the applicant-petitioner submits that initially, the FIR was registered for the offences punishable under Sections 143(4), 61(2) of BNS. However, later on Section 111(3) of BNS and Section 81 of Juvenile Justice Act were also added by the prosecution, which fact was not in the knowledge of the applicant-petitioner. Due to this reason, while filing the main petition, Section 111(3) of BNS and Section 81 of Juvenile Justice Act, could not be mentioned/incorporated in the head note and prayer clause. Thus, prays for carrying out necessary correction in the head note and prayer clause of the main petition.



- 3. Notice of the application.
- 4. On advance notice, Mr. Manjinder S. Bhullar, DAG, Punjab, who is present in the Court accepts notice and did not raise any objection to the prayer made.
- 5. Having considered the submissions made by respective counsel and gone through the prayer made in the present application, the same is allowed.
- 6. Accordingly, necessary correction be carried out in the head note and prayer clause of the main petition i.e. CRM-M-18432-2026, by incorporating Section 111(3) of BNS and Section 81 of Juvenile Justice Act in the headnote and the prayer clause of the main petition.
- 7. Criminal Misc. application stands disposed of.

Main cases

1. The instant petition has been filed by petitioner-Sunita Devi under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sunita Devi	32	15.02.2026	143(4), 61(2), 111(3) of BNS and Section 81 of Juvenile Justice Act	Division No.3	Ludhiana



2. Allegation against petitioner-Sunita Devi is that she gave birth to a baby child at Arora Nursing Home, on 14.02.2026. However, with an intent not to give the child in her own custody, she plan to sell the baby child and for the said purpose, she contacted the hospital nurse namely, Asha and one Parveen. The deal was stuck for selling the baby child for an amount of Rs.2,10,000/-. However, police intervened when petitioner was present for mutual consultation regarding the final step of the sale and purchase of baby child.

3. Learned counsel submits that after release on interim bail granted by this Court, petitioner has surrendered back to the jail on 18.05.2026. Challan against the petitioner has already been submitted, however, trial is yet to start. Expressing the reason of doing the commission of offence by the petitioner of selling her own child, counsel submits that she is mother of five children and belongs to a very poor strata and therefore, was unable to maintain the children, as there is no cooperation from her husband-Keshav Kumar Gupta.

4. Without expressing much, however, by noticing that petitioner is inside jail since 16.02.2026 for the crime, which, she in fact has done against her own emotions, this Court is not of the view to keep her inside jail for any longer. Let the sense of remorse is develop by the petitioner outside the jail.

5. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to her furnishing bail/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in



any other case.

- 6. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
- 7. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.
- 8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

May 27, 2026
Nisha-1

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No