



\$~11

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 681/2026**

**PREETI SHARMA**

.....Petitioner

Through: Mr. Ashok Kumar Sharma, Advocate  
with Mr. Kshitij Mudgal, Mr.  
Avinash Shukla and Mr. Ansh Mittal,  
Advocates

versus

**STATE GOVT. OF NCT OF DELHI**

.....Respondent

Through: Mr. Manoj Pant, APP for the State  
with Inspector Shubham Chaudhary,  
Special staff SED

**CORAM:**

**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA**

**ORDER**

%

**10.03.2026**

**CRL.M.(BAIL) 357/2026 (interim bail)**

1. The learned counsel appearing on behalf of the applicant seeks permission to withdraw the present application for grant of interim bail.
2. Accordingly, the present application stands dismissed as withdrawn.

**BAIL APPLN. 681/2026**

3. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing No. 366/2025, registered at Police Station Sunlight Colony, Delhi, for the commission of offences punishable under Sections 143(4)/3(5)/143(5)/111/61(2) of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS') and Section 80/81 of the Juvenile Justice



(Care and Protection of Children) Act, 2015 (hereafter '*J.J. Act*').

4. Briefly stated, the facts of the present case are that on 22.08.2025, the complainant, Suresh, was travelling to Behror, Rajasthan, along with his wife and their four children, and had reached ISBT Sarai Kale Khan at about 02:00 PM. As he did not have sufficient money to undertake the journey to Behror by bus, he, along with his family, remained at ISBT Sarai Kale Khan in order to arrange the required funds. At about 11:00 PM, the complainant woke up and discovered that his youngest son, Prem, had gone missing and had allegedly been kidnapped by some unknown persons. On the basis of these allegations, the present FIR came to be registered.

5. During the course of investigation, on the basis of CCTV footage and technical analysis, the co-accused persons Veerbhan and Kalicharan were apprehended from Agra, Uttar Pradesh. During interrogation, they disclosed that they had kidnapped the six-month-old child, Prem, from ISBT Sarai Kale Khan and had subsequently sold the child through a co-accused, Rambaran, to one Kamlesh Kumar. It was further revealed during investigation that the child was thereafter sold to co-accused Sundar Singh, and ultimately handed over to two sisters, Krishna and Preeti (the present applicant), on 23.08.2025.

6. It is further stated that on 25.08.2025, acting on the instance of accused Sundar Singh, a raid was conducted at the house-cum-clinic of the present applicant and her sister Krishna at Agra, where the six-month-old child, Prem, was recovered from their custody. Consequently, the present applicant as well as her sister were arrested in connection with the present FIR.

7. The learned counsel appearing for the applicant/accused argues that



there is no incriminating material against the present applicant to connect her with the alleged offence. It is also argued that the allegation of connectivity between the present applicant and the co-accused is belied by the fact that no such evidence has been placed on record, including the exchange of photographs of the minor child, who were allegedly trafficked. He also states that being a woman, the applicant is entitled to bail as per several judgments of the Hon'ble Supreme Court. Therefore, it is prayed that the applicant be enlarged on bail.

8. *Per contra*, the learned APP for the State opposes the bail application and argues that in the present case, the applicant was in constant touch with the co-accused Sundar and the Call Detail Records (CDRs) makes it evident. He also states that the recovery of the child was affected from the present applicant's house at Agra and, therefore, case being at the initial stage of trial and since witnesses are yet to be examined, the present application for bail be rejected.

9. This Court has **heard** arguments addressed on behalf of the applicant and the State, and has perused the case file.

10. After hearing arguments and upon perusal of the case file, this Court notes that the allegations against the present applicant are that she, in conspiracy with the other co-accused persons, was involved in three cases relating to child trafficking.

11. This Court notes that the material collected during the course of investigation, as indicated by the concerned Investigating Officer and placed on record, reflects that from the analysis of mobile phone of co-accused Krishna, it has been revealed that photographs of the kidnapped minor child were exchanged between the present applicant and co-accused Krishna.



12. Further, this Court takes note of the fact that the mobile phone recovered from the present applicant and its contents do not presently form part of the evidence collected by the prosecution, since as per the record, the mobile phone which was seized from the present applicant has been sent for forensic examination. The data from the device is yet to be retrieved and placed before the learned Trial Court by way of a supplementary chargesheet.

13. This Court also notes that, *prima facie*, the present applicant appears to be part of a syndicate involved in child trafficking. It is alleged that she was involved in the trafficking and kidnapping of three minor children, out of whom two were newly born. As per the prosecution, the applicant/accused had sold a newly born girl child, born to an unmarried woman, to one Rajeev Maseey for a consideration of Rs. 1,60,000/-. It is further alleged that another newly born male child, to another unmarried woman, was sold to an unknown person for a consideration of Rs. 3,50,000/- by the applicant and co-accused Krishna.

14. Therefore, considering that the applicant/accused is alleged to have been involved in the trafficking of two newly born children and the kidnapping of a six-month-old child, this Court is of the view that the allegations against her are grave and serious. The mere fact that the applicant is a woman cannot, by itself, entitle her to the grant of bail in a case of such serious nature solely on the ground of her gender.

15. Considering the overall facts and circumstances of the case, and for the reasons recorded hereinabove, this Court, at this stage, is *not inclined to grant regular bail* to the present applicant, considering that the present case involves child trafficking of two minor children and kidnapping of one



newly born child.

16. Accordingly, the present bail application stands dismissed.

17. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

18. The order be uploaded on the website forthwith.

**DR. SWARANA KANTA SHARMA, J**

**MARCH 10, 2026/ns/A**  
*rb*