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

+ **BAIL APPLN. 1474/2026**

**SALIM KHAN**

.....Petitioner

Through: Mr. Siddharth Yadav and Mr. Nitin  
Kumar Yadav, Advocates

versus

**STATE (NCT OF DELHI)**

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for  
the State

**CORAM:**

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

**ORDER**

**06.05.2026**

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1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 419/2022, registered at Police Station South Rohini, Delhi, for the commission of offence punishable under Sections 370/420/468/471/120B/174A/201/34 of the Indian Penal Code, 1860 (hereafter 'IPC'), and Section 81/87 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereafter 'JJ Act').

2. Briefly stated, the facts of the present case are that police official had caught the accused persons i.e., Dr. Sanjay Mallik, Ms. Ashu Saini, Ms. Rakhi and Ms. Rehnuma, in the act of attempting to sell a baby girl to one of their alleged customers. Accordingly, the instant FIR was registered against the accused persons. During the course of investigation, it was revealed that the present applicant had played a pivotal role in the alleged conspiracy



relating to the sale of a newborn female child. He was found to be in continuous contact with co-accused Sanjay Kumar Mallick, Ashu Saini, and Rakhi, and had acted as a link between them for arranging prospective buyers. Thereafter, the present applicant/accused Salim Khan, in furtherance of the conspiracy, contacted Ashu Saini and Rakhi for locating the potential customers. The present applicant/accused had allegedly remained actively engaged in the planning and execution of the transaction, coordinating with the co-accused and guiding them on the deal.

3. The learned counsel appearing on behalf of the applicant submits that the applicant has remained in judicial custody for more than 2 years and 6 months and that the trial is likely to take a considerable period of time to conclude as charges are yet to be framed. It is further contended that, on 2–3 prior occasions, the applicant had been released on interim bail and had duly complied with all the conditions imposed upon him. It is also argued that all the co-accused persons have already been enlarged on bail. It is further submitted that the investigation in the present case stands concluded, the chargesheet as well as the supplementary chargesheet have already been filed, and further custodial interrogation of the applicant is not required. It is therefore prayed that the applicant be granted bail.

4. The learned APP for the State, on the other hand, submits that the offence alleged against the applicant is serious in nature and pertains to the trafficking of an infant child. It is further argued that the applicant was in contact with the other co-accused persons, which is corroborated by the call detail records of the present applicant. It is also pointed out that the applicant was declared a proclaimed offender on 05.01.2023, and was subsequently arrested on 27.07.2023. Therefore, it is contended that, in the



event the applicant is released on bail, there exists a reasonable apprehension that he may again evade the process of law. Accordingly, it is prayed that the applicant be not enlarged on bail.

5. This Court has **heard** arguments addressed by the learned counsel appearing for the applicant as well as the learned APP for the State, and has perused the material available on record.

6. The allegations against the present applicant, in brief, are that the present applicant was actively involved in the trafficking of an infant female child.

7. This Court notes that the applicant has remained in judicial custody for a period exceeding two and a half years and his overall conduct in jail has remained satisfactory. It is further pertinent to note that charges are yet to be framed by the learned Trial Court and that the trial is likely to take a considerable period of time to conclude.

8. This Court also notes that the applicant had been released on interim bail on three prior occasions, and had duly complied with all the conditions imposed upon him and surrendered within time on each occasion.

9. It is further noted that the other co-accused persons, including the mother of the newborn child as well as the doctors allegedly involved in the commission of the offence, have already been enlarged on bail.

10. Therefore, considering the overall facts and circumstances of the present case, particularly the fact that the co-accused persons have already been released on bail, the applicant has remained in judicial custody for more than two and a half years, and charges are yet to be framed, this Court is inclined to grant bail to the applicant on his furnishing a personal bond in the sum of ₹15,000/- with one surety of the like amount, subject to the



satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned, on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court, and if the applicant has a passport, he shall surrender the same to the concerned Trial Court.
  - ii) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Court and IO/SHO concerned.
  - iii) The applicant shall appear regularly before the learned Trial Court, unless exempted.
  - iv) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.
11. Accordingly, the present bail application stands allowed and is disposed of.
12. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.
13. The order be uploaded on the website forthwith.

**DR. SWARANA KANTA SHARMA, J**

**MAY 06, 2026/ns**  
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