

**Bail Matter : 1514/2026, 1519/2026 and 1552/2026,
FIR No. : 258/2026
PS: Paharganj
State Vs. Jyoti @ Pinki W/o Gangaram
State Vs. Pratibha Yadav W/o Dheeraj
State Vs. Shalu W/o Rajesh**

22.07.2026

Present: Sh. Himanshu Garg, Ld. Addl. PP for the State.
Sh. Rajiv Mohan and Abhishek Sharma, Ld.
Counsels for the applicant/accused Jyoti @ Pinki.
Sh. Ashwani Jha and Kanchan Kumari Jha, Ld.
Counsel for the applicant Shalu.
Sh. Rishipal Singh, Ld. Counsel for the applicant
Pratibha Yadav.
IO/SI Pragati.

1. By this common order I shall decide the three regular bail applications filed on behalf of applicant Jyoti @ Pinky, Shalu and Pratibha Yadav.
2. Arguments on bail application were heard on 21.07.2026.
3. Ld. counsel for accused Jyoti @ Pinki has argued that apart from the disclosure statement of the co-accused there is no cogent evidence against the applicant, she is in judicial custody since 28.06.2026. The applicant had joined the investigation and was let off, never evaded the process. She has four minor children out of which one of the children is residing with her in jail. It is submitted that co-accused to whom the child was sold have already been granted bail and as such the present applicant also deserve to be admitted to bail.
4. Ld. counsel for the applicant Shalu submits that accused has been falsely implicated in the present case. She is in JC since 05.06.2026. Co-accused persons have been granted regular bail and as such the applicant may be admitted to regular bail.

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5. Ld. counsel for accused Pratibha Yadav submits that till date except for disclosure statement and recovery of Rs.2,92,400/- there is no evidence against the applicant and she being lady, is in judicial custody since 07.06.2026 therefore may be admitted to regular bail.

6. On the other hand, Ld. Addl. PP for the State submits that allegations against the accused persons are serious in nature, looking at the propensity of the crime and the enormous nature of investigation, no ground is made out to enlarge the present applicant on bail as the investigation is still pending.

7. I have heard Ld. Counsels for the parties and perused the record.

8. The brief facts of the case are that a secret information was received at Anti Narcotics Cell that one Jyoti @ Kamlesh wife of Vikas along with other members of Gang is into selling and purchasing of small children and she can be apprehended if the decoy customer is sent along with him. The information was verified and the raiding party was constituted which consisted of WSI Pragati, WHC Sushma, ASI Sunil, HC Anuj, HC Mohit and Ct. Inderjeet. HC Sushma and ASI Sunil were made as decoy customer and Rs. 20,000/- was given to them through handing over memo. The raiding party left the office at around 12:30 vide DD no. 5 and reached at pillar number 14 R.K. Ashram Metro Station. The raiding party was briefed and all of them waited near Service Road "Kama the Bar & Launge". At around 2:30 pm the secret informer pointed out towards one lady and told the name of the lady as Jyoti @ Kamlesh. The decoy customers

WCT. Sushma and ASI Sunil met the aforesaid lady and a sum of Rs. 20,000/- was handed over to the said lady. The said lady informed that her two accomplices are standing with the child on the other side of the road. When the decoy customer asked the said lady to show them the child she made a signal towards the person who were standing on the other side of the road. After the child was shown to the decoy customer, a signal was made and all the persons were apprehended, the name of two accomplices was revealed as Shalu wife of Rajesh, Lalit son of Gulshan. On the basis of the said complaint ASI Haminder prepared the rukka and the present FIR was registered u/s 143(4)/61(2)/3(5) BNS and Section 81 JJ Act.

9. As per the reply filed by the IO Jyoti @ Kamlesh was taken in police custody remand, on police custody remand and during her interrogation she disclosed the existence of an organized Inter State Child Trafficking Syndicate, the Syndicate was operating across Delhi, Haryana, Rajasthan, Uttarakhand and Gujarat through a network of Mediators Biological parents and adopted parents who were purchasing the children. 23 accused persons have been arrested and 9 trafficked infants including 8 male and 1 female infant have been rescued.

10. Now coming to the specific role of each of the applicant, in so far as applicant Shalu is concerned she was apprehended at the spot while trying to sell a child who was 4-5 days old. The investigation is stated to be pending qua the financial transactions, identification of biological parents. One of the co-accused namely Sony Singh is yet to be arrested.

11. In so far as applicant Jyoti @ Pinki is concerned, she had facilitated the illegal transfer of one male infant to accused Sarika and another male infant to accused Ritu and Sunny Arora.

12. With respect to applicant Pratibha Yadav, she was found carrying a sum of Rs. 2,92,400/-, her name was revealed by Jyoti @ Kamlesh, the lady was apprehended at the spot. Baby products like feeding bottle, baby milk powder were recovered from the vehicle. It is the case of the prosecution that she was actively involved in arranging the procurement, transportation and sale of new born infants to Organized Inter State Child Trafficking Syndicate.

13. The Hon'ble Supreme Court in *Pinki Vs. State of U.P. 2025 INSC 482* noted that how the traffickers are well networked through their smartphones, sharing information. The relative ease with which they are able to operate and procure buyers for selling the children outside states indicates the awareness about the use of technology, the demand and the fact that they need to operate as network. There is need to strike a balance between the personal liberty as enshrined under Article 21 viz-a-viz the interest of the society at large. The liberty of the individual would have to be restricted for a larger societal interest in this case.

14. In light of the reply it is clear that all the three applicants had a specific role. The co-accused are yet to be arrested. The Biological parents are yet to be identified. The investigation is at initial stage. Offence u/s 143 (4) BNS attracts a minimum punishment of 10 years which may extend to life, releasing the applicants on bail at this stage would hamper the investigation

and there is every likelihood that applicants would tamper with the evidence and or influence the witnesses.

15. The role of the present applicants is different from the role of the applicants who have been granted regular bail. The persons who have been granted regular bail were the parents/child couples who had purchased the children which is not so in the present case. Charge-sheet is yet to be filed. Allegations against the accused persons are serious in nature.

16. Considering the overall facts, no ground is made out to grant bail to the applicants. Applications seeking regular bail on behalf of Jyoti @ Pinki, Shalu and Pratibha Yadav stands dismissed.

17. Applications stands disposed off accordingly. Copy of the order be given dasti to the Ld. Counsel for the accused free of cost. Copy of the order be sent to the Jail Superintendent for information.

(ANKUR JAIN-I)
ASJ-04/Central/Delhi.
22.07.2026

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