



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL Nos. _____ OF 2026
[arising out of SLP (Crl.) Nos. 8917-8918 OF 2026]

SHIRLEY JOHN

APPELLANT

VERSUS

THE STATE OF NCT OF DELHI

RESPONDENT

ORDER

1. Leave granted.
2. By the impugned judgment and order dated 7th May, 2026, the High Court of Delhi at New Delhi has rejected the appellant's prayer for bail in anticipation of arrest.
3. Appellant figures as an accused in FIR No. 0024/2025 dated 5th June, 2025 registered with Police Station Shastri Park Metro, Delhi. It is alleged in the FIR that the appellant, a nursing officer,

has committed offence(s) punishable under Section(s) 137(2), 143(4), 143(7), 3(5) and 61 of the Bharatiya Nyaya Sanhita, 2023¹ and Section 81 of the Juvenile Justice (Care and Protection of children) Act, 2015².

4. We have heard learned counsel appearing for the appellant as well as the respondent.

5. Allegation against the appellant is that she facilitated exchange of a baby. Although the photographs do not capture her presence, it is suspected that the exercise of exchange of the baby was carried out in her cabin at the health centre.

6. It is not in dispute that the appellant has joined the investigation and charge-sheet has also been filed under Sections 137(2), 143(4), 143(7), 61, 3(5), BNS and Section 81, JJ Act on 11th February, 2026.

7. Having regard to the nature of allegations and the role attributed to the appellant, further that the investigating officer did not consider it necessary to arrest her while the investigation was in progress and also that she is a woman entitled to the benefit of Section 480 of the Bharatiya Nagarik Suraksha Sanhita, 2023, we are of the opinion that her custodial interrogation is not necessary and that there is sufficient ground for her to be admitted to an order for grant of bail in anticipation of arrest.

¹ BNS
² JJ Act

8. Accordingly, the impugned judgment and order stands set aside.

9. It is directed that in the event of the appellant being arrested in connection with proceedings arising out of the aforesaid FIR, she shall be released on bail by the arresting/investigating officer/trial court on terms and conditions to be fixed by the trial court.

10. It is made clear that in the event the appellant breaches any of the terms and conditions imposed by it, the trial court shall be at liberty to cancel the bail of the appellant.

11. Needless to observe, the appellant shall not, directly or indirectly, by making inducement, threat or promise, dissuade any person acquainted with the facts of the case from disclosing such facts to any police officer or to the court.

12. Also, since the investigation has concluded, we direct that if the investigating officer calls upon the appellant to join further investigation, she shall do so by attending the police station.

13. We clarify that the observations made in this order and grant of bail will not be treated as findings on the merits of the case.

14. The appeals are, accordingly, allowed on the aforesaid terms.

15. Pending interlocutory application(s), if any, stand disposed of.

.....J.
[DIPANKAR DATTA]

.....J.
[SATISH CHANDRA SHARMA]

**New Delhi;
May 14, 2026.**

ITEM NO.26

COURT NO.8

SECTION II-D

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Special Leave to Appeal (Crl.) No(s). 8917-8918/2026

[Arising out of impugned final judgment and order dated 07-05-2026 in BA No. 1671/2026 07-05-2026 in CRLMA No. 13447/2026 passed by the High Court of Delhi at New Delhi]

SHIRLEY JOHN

Petitioner(s)

VERSUS

THE STATE OF NCT OF DELHI

Respondent(s)

IA No. 147506/2026 - EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT

IA No. 147509/2026 - EXEMPTION FROM FILING O.T.

IA No. 147507/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ ANNEXURES

Date : 14-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMAFor Petitioner(s) :Mr. Rajiv Shakdher, Sr. Adv.
Mr. Karan Khetani, Adv.
Mr. Sidharth Mullick, Adv.
Mr. Niteen Kumar Sinha, AORFor Respondent(s) :Mr. S.D. Sanjay, Ld. ASG
Mr. Akshat Agarwal, Adv.
Mr. Divyam Aggarwal, Adv.
Ms. Nikita Sethi, Adv.
Ms. Navroop Jawanda, Adv.
Mr. Prithvi Ahuja, Adv.
Mr. Mohan Guta, Adv.
Mr. S.N. Terdal, AORUPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.

2. The appeals are allowed in terms of the signed order placed on the file.

(JATINDER KAUR)
P.S. to REGISTRAR

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)