



2026:DHC:906



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

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Date of Decision: 04.02.2026

+ **BAIL APPLN. 493/2026**

SAVITRI

.....Petitioner

Through: Mr. Kedar Yadav and Sanya Verma,
Advocates

versus

STATE OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Rahul Rathi and ASI
Ramkesh Gahlot, PS Sangam Vihar

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. The applicant/accused seeks anticipatory bail in case FIR No. 508/2025 of Police Station Sangam Vihar for offence under Section 33 of Delhi Excise Act 2009, under Section 78 of JJ Act 2015 and under Section 95/112 of BNS 2023.

2. Broadly speaking, the allegation against the accused/applicant is that she trafficked a child from native village and got him employed in Delhi in sale of illicit liquor. The FIR was registered on the statement of a constable, who during patrol duty witnessed the sale of illicit liquor in a narrow lane of



the area. When the constable tried to apprehend, the lady Kajal who was selling the illicit liquor alongwith the child ran away but the child got apprehended alongwith the pouches of illicit liquor in a plastic bucket. In the course of investigation, it came out that the child had been brought to Delhi by the accused/applicant, who is a close relative of the lady Kajal found selling illicit liquor and the entire family of the said lady as well as the accused/applicant are engaged in sale of illicit liquor.

3. Learned counsel for accused/applicant submits that since the lady namely Kajal who was allegedly selling illicit liquor with the child has been arrested, nothing is to be recovered from the accused/applicant, so there is no purpose of arresting her. Further, it is contended by learned counsel for accused/applicant that even according to prosecution case, the only role of the accused/applicant was to bring the child to Delhi and there is nothing to suggest that she brought him to Delhi for sale of illicit liquor. It is also argued that against the accused/applicant there is no material to connect her to the alleged sale of illicit liquor.

4. Learned APP for State assisted by IO/SI Rahul Rathi, strongly opposes the anticipatory bail application, submitting that according to investigation carried so far, the accused/applicant was actively involved in the illicit liquor sale racket and even received money in the process.

5. At the outset, seriousness of the alleged crime has to be kept in mind. The allegation against the accused/applicant is not only involvement in sale of illicit liquor. The charge against the accused/applicant is trafficking of a



child from native place to be employed in the illicit business. It is also not in dispute that parameters for considering an anticipatory bail are narrower than those required to be considered for regular bail. Grant of anticipatory bail in such cases where a child is exploited in commission of crimes would send very wrong signals across the society. In the recent past, exploitation of children in commission of crimes is increasing day by day; children are now being often used as a weapon by the hardened criminals to escape penal action.

6. I also find substance in the submission of the State that custodial interrogation of the accused/applicant is necessary in order to unearth if more children in similar fashion have been trafficked by the accused/applicant for being used in commission of crimes.

7. Further, it also appears from the investigation carried so far that the accused/applicant also received monetary benefits in the process. Statement of accounts of PhonePe of the accused/applicant also is being examined by the investigators.

8. Besides, the accused/applicant is also involved in 17 more cases of similar nature and one case under NDPS Act. Even subsequent to the present case, the accused/applicant came to be involved alongwith her family members in two more cases of similar nature.

9. Considering the above circumstances, I do not find it a fit case to grant anticipatory bail to the accused/applicant.



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10. The anticipatory bail application is dismissed.

**GIRISH KATHPALIA
(JUDGE)**

FEBRUARY 04, 2026/as