

## Sufija Begum vs The State on 26 July, 2021

**Author: Mukta Gupta**

**Bench: Mukta Gupta**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ BAIL APPLN. 783/2021

SUFIJA BEGUM

Represented by:

..... Petitioner

Mr.Jai Subhash Thakur, Advocate.

Versus

THE STATE

Represented by:

.... Respondent

Mr.Amit Gupta, APP for the State  
with SI Bimlesh, P.S.Budh Vihar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% 26.07.2021

1. By this petition, the petitioner seeks anticipatory bail in case FIR No. 36/2021 under Sections 363/366/506/342 IPC, 12 of the POCSO Act & 9/10/11 of Prevision of Child Marriage Act registered at P.S.BudhVihar.

2. Learned counsel for the petitioner contends that the son and husband of the petitioner were arrested and have already been granted regular bail by the learned Trial Court. The role of the petitioner, if any, is that she was present at the spot like the role of her two other sons who were also named in the FIR and no overt act is attributed to the petitioner.

3. The above-noted FIR was registered on the complaint of the father of the victim, alleging kidnapping of his daughter, conversion to another religion and forcible marriage. On the complaint of the father of the BAIL APPLN. 783/2021 Page 1 of GUPTA victim, the police team reached at Khasra No. 203, Bangali Basti, Rithala, Delhi where they found victim aged 17 years besides some other persons present. The allegation of the complainant was that his daughter was kidnapped by accused persons namely Shaktimaan, Mukhtair, Chand Shekh, Sabib Shekh and Sufija Begum, the present petitioner. Shaktimaan is the son of the petitioner and Mukhtair, the husband. Both of them have been arrested and two other sons of the petitioner namely Chand Shekh and Sabib Shekh have been released on anticipatory bail. The role attributed to the petitioner of her presence at the spot when the marriage was being performed of the victim with Shaktimaan is similar to the role

attributable to co-accused Sabib Shekh and Anarul Shekh. Further, the main accused Shaktimaan, son of the petitioner and Mukhtair, husband of the petitioner & father of Shaktimaan have already been released on bail on 22 nd March 2021 and 19th February 2021 respectively.

4. Considering the role assigned to the petitioner and that two co- accused with the similar role have already been granted anticipatory bail, this Court deems it fit to grant the anticipatory bail to the petitioner.

5. It is therefore directed that, in the event of arrest, the petitioner be released on bail on her furnishing a personal bond in the sum of 25,000/- with one surety bond of the like amount subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that the petitioner will join the investigation as and when directed and in case of change of residential address and/or mobile phone number, the petitioner will intimate the same to the Court concerned by way of an affidavit.

6. Petition is disposed of.

BAIL APPLN. 783/2021

Page 2 of GUPTA

7. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

JULY 26, 2021/akb

BAIL APPLN. 783/2021

Page 3 of GUPTA