
(2018) 08 DEL CK 0028
In the Delhi High Court
Case No : BAIL APPLN. 1714 OF 2018

Pushpa Devi

APPELLANT

Vs

State (Govt.Of NCT Delhi)

RESPONDENT

Date of Decision : 02-08-2018

Acts Referred:

Child Labour (Prohibition and Regulation) Act, 1986 — Section 3
Juvenile Justice (Care and Protection of Children) Act, 2015 — Section 75
Bonded Labour System (Abolition) Act, 1976 — Section 16

Citation : (2018) 08 DEL CK 0028

Hon'ble Judges : SANJEEV SACHDEVA, J

Bench : Single Bench

Final Decision : Diposed Off

Judgement

SANJEEV SACHDEVA, J

1. The petitioner seeks regular bail in case FIR No. 198/2018 under Sections under Section 3 of Child Labour (Prohibition and Regulation) Act;

Section 75 of Juvenile Justice (Care and Protection of Children) Act; under Section 16 of Bonded Labour System (Abolition) Act, 1976, District West

Delhi, registered at Police Station Hari Nagar, New Delhi.

2. The allegations in the subject FIR are that a rescue operation was conducted at the house of the co-accused where a minor girl child aged about 8

to 9 years was found employed.

3. It is contended that the petitioner runs a placement agency and had brought a minor girl child from her native village in Bihar and employed in the

subject household. The petitioner has been in custody since 23.05.2018.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated and there is no allegation of petitioner having violated any

of the provisions of the Acts mentioned in the FIR. He further submits that the petitioner runs an employment agency and provides employment to the persons, inter-alia, from Bihar and the girl child is not aged 8 to 9 years but approximately aged about 16 years of age. He further submits that the petitioner is also resident of the same village and brought the girl with the consent of her father.Â

5. Status report has been filed and the same is taken on record. It shows that the ossification test was conducted and it is opined therein that the age of the girl is 15 to 16 years. Further the statement of the girl was recorded who has not made any allegation of maltreatment. She only contended that salary of one month was not given to her. Statement of father of the girl child has also been recorded wherein he has confirmed that he had sent his daughter with his consent for securing employment.

6. Without commenting of the merits of the case and keeping in view of the totality of facts and circumstances of the case and on perusal of the records, I am of the view that the petitioner has made out a case for grant of bail.Â

7. Accordingly, subject to petitioner furnishing a bail bond in the sum of Rs.25,000/- alongwith one surety of the like amount to the satisfaction of the Trial Court, the petitioner shall be released on bail, if not required in another case. The petitioner shall not do anything, which may prejudice either the trial or the prosecution witnesses.

8. The petition is disposed of in the above terms.Â

9. Order Dasti under signatures of the Court Master.Â Â