



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO. 14683 OF 2026 (GM-FC)

BETWEEN:

PRIYADARSHAN SINGH
SON OF KASHMIR SINGH
AGED ABOUT 43 YEARS,
RESIDING AT 106 BEACON STREET,
SOMERVILLE, MASSACHUSETTS, 02143,
UNITED STATES OF AMERICA.

...PETITIONER

(BY SRI. ARUN GOVINDRAJ, ADVOCATE (VC))

AND:

PRIYANKA PRIYADARSHAN SINGH
WIFE OF PRIYADARSHAN SINGH
AGED ABOUT 38 YEARS,
RESIDING AT ART OF LIVING
INTERNATIONAL CENTRE,
PANCHAGIRI EDUCATIONAL CAMPUS,
UDAYPURA, 21ST KM
KANAKAPURA ROAD,
O.B. CHUDAHALLI, BENGALURU,
KARNATAKA - 560082.

...RESPONDENT

(BY SMT. SHOBHA S. BHAVIKATTI, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO

Digitally signed by
AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA



QUASH THE ORDER DATED 02.05.2026 PASSED ON I.A. NO.2 BY THE III ADDITIONAL SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU, IN G AND WC NO.10/2026 AND CONSEQUENTLY, PERMIT THE PETITIONER TO HAVE INTERIM CUSTODY OF HIS MINOR DAUGHTER, ANUPRIYA SINGH, DURING THE PERIOD THE PETITIONER IS IN INDIA, ALONG WITH DAILY VIDEO CALL ACCESS TO HIS MINOR DAUGHTER DURING THE PETITIONERS STAY ABROAD (ANNEXURE-A).

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN B-GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Sri.Arun Govindraj learned counsel for the petitioner who appears through video conference. Also heard Ms.Shobha S Bhavikatti learned counsel for the respondent.

2. Seeking the Court to quash the order that is rendered by the Court of III Additional Senior Civil Judge, Bengaluru Rural on IA No.II in G&WC No.10/2026 dated



02.05.2026, this writ petition is filed. The operative portion of the impugned order reads as under:

"The IA No.2 filed by the petitioner U/S 12 of Guardians and Wards Act R/W Section 151 of CPC is partly allowed.

It is ordered that the petitioner is entitled to visit to his daughter Kumari.Anupriya Singh during his visit to India from every Saturday (If the school is holiday) and on every Sunday or public holiday from 10.00 AM to 6.00 PM till disposal of the petition, subject to following;

CONDITIONS

1. He shall take proper care of health and medical condition of the daughter.
2. He has to try to spend his time in of with the daughter from morning to evening in the campus of Sri.Ravishankara Guruji Ashrama wherein the respondent is staying. It is clarified that if taking of the child outside campus is needed for any reason then he shall not take the daughter out of more than 5 to 10 KM distance from Sri.Ravishankara Guruji Ashrama for a short period and thereafter returned to the Ashrama.
3. After completion of said period he shall handover the minor daughter to the respondent.
4. He shall not take the daughter out of jurisdiction of the Court in any manner.



It is clarified that the petitioner may visit the daughter along with his parents/relations and spent time.

It is further clarified that the petitioner is entitled to said custody/visitation right if only the daughter is inclined to go with them. If the daughter is not inclined then the petitioner cannot compel or force her to come with him.

For such visitation and handing over purpose, the petitioner and respondent may take the assistance of any relatives, female friend or any female member of the Ashrama."

3. As the relationship between the parties is not in dispute, the petitioner will hereinafter be referred to as the father and the respondent as the mother.

4. Learned counsel for the petitioner submitted that the marriage between the parties was solemnized in the year 2012. In the year 2015 they gave birth to a female child named Kumari Anupriya Singh. Parties used to reside within the premises of Sree Sree Ravishankar Ashram. In the year 2022 father went to Canada to pursue his higher education. In the year 2025 father visited India. At that time child spent considerable time with the father



very happily. However, subsequently, respondent/mother curtailed the child from communicating with her father by any means. Therefore, father filed G&WC No.10/2026 seeking the Court to declare him to be the guardian of his minor daughter Anupriya Singh. He also moved I.A.No.II seeking interim custody during weekends while he visits India and also access through video calls for 15 minutes on weekdays and for about one hour on weekends.

5. Learned counsel who represents the father also states that the trial Court interacted with the child and the child said that she is not interested to go with the father. The Court also made an observation that the photographs produced revealed that the child was playing happily with her father and grandparents. The Court made an observation that those photographs reveal that the child has some attachment towards father.

6. The submission that was made by learned counsel who represents the father is also that due to repeated advice and tutoring, the child is developing



disinclination towards her father. Indeed the child is very much attached to the father. Learned counsel also stated that only when father comes down to India he will have custody of the child and the trial Court giving such custody made an observation that such custody shall only be given if the child is inclined. Learned counsel states that mother will prevail over the child and on the instructions of the mother, the child will say that she is not inclined to spend time with the father. Thereby father will be deprived of the love and affection of the child. Learned counsel also states that Sree Ravishankar Guruji Ashram, where the child is staying, is in the outskirts of Bangalore City and the Court ordered the father not to take the child more than 5 to 10 kilometres distance from the said ashram and within that radius there are no malls or other places where the child can play and enjoy with the father and the father is aggrieved by the condition thus passed.

7. Per contra, learned counsel who represents the mother states that child is not willing to see the father and



mother has no objection if the child intends to spend time with the father.

8. The apprehension of the father as earlier indicated is that the child will not meet him on the instructions of her mother and thereby he will permanently lose connection with the child. After interacting with the child and after going through the relevant material that is brought on record, visitation rights was given to the father. Also it is an admitted case that father at present stays at USA and earlier he was residing at Canada. Thus only when the father visits India he will have the custody of the child that too from 10.00 a.m. to 06.00 p.m. on every Saturday (if there is holiday on that day) on every Sunday or public holiday. Only if the child meets the father and spends time with him, the child will know whether she can continue to interact with her father or not. If as per the impugned order child initially declines to go, the child will never develop affinity with her father and thereby child will also lose the love affection of one of her parents.



Therefore this Court considers desirable to set aside the impugned order to that extent. Also this Court is of the view that father should be permitted to take the child out during the period of interim custody anywhere within Bangalore city. Therefore, the writ petition is disposed of with the following:

ORDER

- (i) Petitioner/father is permitted to interact with his daughter Kumari Anupriya Singh on every Monday, Wednesday and Friday between 8.00 p.m. and 9.00 p.m. for half an hour through video calls.
- (ii) Expression of inclination by the daughter for every interaction during the visit of the petitioner to India, for spending time on every Saturday if the school is closed on that day, on every Sunday or public holiday from 10.00 a.m. to 6.00 p.m. is dispensed with. However, liberty is granted to the mother to move necessary application in case the child expresses any sufficient cause or reason due to which she is not inclined to meet her father.



- (iii) Petitioner/father is permitted to take the child to any place within Bangalore city during such visitation.
- (iv) Permission is granted to respondent/mother to accompany the child if she desires during that period.

Writ petition is accordingly disposed of.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

DS
CT:TSM
List No.: 1 Sl No.: 2