

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Writ Petition No. 903 of 2015 (O&M)
Date of decision: 11.6.2015

Tirath Ram

.. Petitioner

v.

Union Territory, Chandigarh and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Onkar Rai, Advocate for the petitioner.

...

Rajesh Bindal J.

Prayer in the present petition is for issuance of a writ of Habeas Corpus filed by the maternal grand father for producing his minor grand sons, who are stated to be in the custody of respondents No. 5 to 7. Respondent No. 5 is the widow of the son of the petitioner, whereas respondents No. 6 and 7 are her parents.

Considering the fact that grand sons of the petitioner are in the custody of their mother and maternal grand parents, father of the children having died, they on the face of it cannot be said to be in illegal custody, hence, the petition for Habeas Corpus cannot be entertained. If the petitioner otherwise wants the custody of the children on any other legal ground, he shall be at liberty to avail the same.

The petition is, accordingly, dismissed.

(Rajesh Bindal)
Judge

11.6.2015
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