

CRM-W-48 of 2017 in CRWP No.567 of 2016

SIMINDER KAUR VS. STATE OF PUNJAB AND OTHERS

Present:- Mr.Sunil Chadha, Sr.Advocate, with
Ms.Swati Verma, Advocate, for applicant/respondents No.3 and 4.

Mr.A.P.S.Gill, AAG, Punjab.

Mr.Lovekirat Singh Chahal, Advocate,
for non-applicant/petitioner.

This application has been filed for modification of order dated
17.02.2017.

Mr.Lovekirat Singh Chahal, Advocate, has appeared and accepts
notice on behalf of the non-applicant/petitioner.

After hearing both the parties, the order dated 17.02.2017 is being
modified as under:

With the consent of both the parties, the matter is
taken up today itself.

Learned senior counsel for the petitioner submits
that the petitioner has initiated civil and criminal
proceedings in USA which includes divorce, custody of the
child etc. Further she has filed a complaint before FBI.
Learned counsel for the petitioner submits on instructions
that petitioner will withdraw her complaints filed by her,
which are the subject matter of challenge in CRM-M 4523
of 2017 and CRM-M 23093 of 2016, after the minor child-
Anhad Singh will reach USA on 22.02.2017. Further, it is
not being disputed by both the parties that minor child
Anhad Singh was living with respondents No.3 and 4 with
the consent of the petitioner namely Siminder Kaur as well
as her husband (Vaneet Singh) till the filing of the present
Hapeas Corpus petition. Pursuant to the order passed by this
Court, the interim custody of minor child had been declined
to the petitioner vide the order dated 01.09.2016 passed by

this Court in the present Habeas Corpus petition. This Court is of the view that minor child Anhad Singh was living in the legal custody of the grand parents i.e. Respondents No.3 and 4.

Keeping in view the above facts, learned counsel for the petitioner is allowed to withdraw the present petition and the petitioner further undertakes that she will not pursue/depose in the complaint filed by her before F.B.I and further she will withdraw the complaints as mentioned above. Further the application filed by respondents No.3 and 4 seeking permission to allow them to take the minor to U.S.A. is allowed and they are permitted to take minor child to U.S.A.

Dismissed as withdrawn.

A copy of this order be given dasti under the signatures of Court Secretary attached to this Court.

20.02.2017
anil

(RITU BAHRI)
JUDGE