

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRWP No. 1073 of 2016
Date of Decision : 10.01.2017**

Inderjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. S.S. Majithia, Advocate for the petitioner.

Mr. Varun Sharma, Assistant Advocate General, Punjab.

Mr. A.P.S. Randhawa, Advocate for respondents No. 2 and 3.

Anupinder Singh Grewal, J.(Oral)

This petition has been preferred for issuance of a writ of Habeas Corpus to produce the petitioner's minor son Gurpreet Singh, who is stated to be in illegal custody of respondents No. 2 and 3 (maternal grandfather and maternal uncle of the child), respectively.

In pursuance to the previous order of a co-ordinate Bench of this Court dated 30.08.2016, the petitioner was allowed to have the custody of the child during school holidays and vacation.

Learned counsel for the parties upon instructions from their respective clients are ad-idem that the aforementioned arrangement worked in a satisfactory manner and was in the best interest of the child.

Learned counsel for respondents No. 2 and 3 upon instructions from respondents No. 2 and 3, who are present in Court, states that they have no objection if the custody of the child is handed over to the petitioner

provided they get visiting rights as the child had earlier been brought up by them.

Learned counsel for the petitioner upon instructions from the petitioner states that the petitioner has no objection if the child spends every alternate weekend with respondents No. 2 and 3.

In the facts and circumstances of the case, I am of the considered view that the ends of justice would be met if custody of the minor child Gurpreet Singh is handed over to the petitioner, who is his father.

Therefore, the petition is allowed and the custody of the minor child Gurpreet Singh shall be forthwith handed over to the petitioner. However the child shall be sent to the house of respondents No. 2 and 3 by the petitioner at least every alternate weekend or as per any mutual agreement, which may be arrived at between the petitioner and respondents No. 2 and 3.

January 10, 2017.
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No