

In the High Court of Punjab and Haryana at Chandigarh

288

CRWP No. 323 of 2018

Date of decision:2.4.2018

Poonam

.....petitioner

Versus

State of Haryana and ors

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Saurabh Kapoor, Advocate,
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

Mr.Rahul Deswal, Advocate
for respondents No.4 to 6.

RAJ MOHAN SINGH, J (oral)

This petition has been filed by the petitioner for issuance of writ in the nature of Habeas Corpus for release of her minor daughter Chiransi aged 1 ½ year from the custody of respondent No.4, who happens to be her husband.

On 30.3.2018, following order was passed by this Court:-

“This petition has been placed before me today at my camp office at 2.30 p.m.

Learned counsel for the petitioner submits that marriage of the petitioner was solemnized with respondent No.4 on 14.2.2014. A female child took birth out of this wedlock on 19.9.2016. Child was named as Chiransi, who is now aged one and half year. Due to matrimonial differences between petitioner and respondent No.4, the petitioner was

allegedly shunted out from the matrimonial house on 26.3.2018 and the custody of minor was forcibly retained by respondent Nos. 4 to 6. Child is on the breast feeding of the petitioner.

By way of present petition under Article 226 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of habeas corpus for release of minor detainee namely Chiransi from the custody of respondents No.4 to 6.

Notice of motion for 2.4.2018.

Respondent No.3 is directed to produce minor detainee Chiransi and respondent No.4 in the Court on the adjourned date.”

Today, respondent No.4 has come present along with minor daughter Chiransi. Custody of the minor has been handed over to the petitioner in Court. Both the parties are ad idem that there is no other case pending between the parties.

Since custody of the minor has been handed over to the petitioner (natural mother), no further action is called for in the present petition. However, parties are at liberty to avail their legal remedy in accordance with law.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

April 02, 2018

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Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No