

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.700 of 2018

DECIDED ON: November 02, 2018

SHREYA SHARMA AND ORS.

..PETITIONERS

VERSUS

STATE OF PUNJAB

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Gursimran Singh Madaan,
Advocate for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Puneet Sharma, Advocate for respondent No.4.

RAMENDRA JAIN, J. (ORAL)

Prayer in the petition under Article 226/227 of the Constitution of India is for issuance of a writ in the nature of Habeas Corpus to release Rivaan Badhan, son of the petitioner from illegal custody of respondent No.4 and his relatives.

Reply by way of affidavit of Sh. Navneet Singh (PPS) Assistant Commissioner of Police, North Jalandhar on behalf of respondents No.1 to 3 has been filed in Court today. The same is taken on record.

Learned counsel for the petitioner submits that vide order dated 08.08.2018 (P-5) passed by Ontario Court of Justice, Brampton, Canada, the custody of the minor child Rivaan Badhan was given to the petitioner. Respondent No.4 was arrested by the Canada Police and was

released on bail yesterday, prohibiting him to meet the petitioner as well as minor child.

Learned State counsel submits that the instant petition is merit-less in view of the fact that minor Rivaan Badhan is not in illegal custody as he is living with respondent No.4, who is his father.

The aforesaid order of Ontario Court, Canada is not binding upon this Court, inasmuch as, the minor child is in India with his grand-parents and father-respondent No.4, who are taking care of him properly.

Dismissed being devoid of merit.

November 02, 2018

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**(RAMENDRA JAIN)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**