

247.

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

CRWP-849-2018

Date of decision:02.11.2018.

GURVINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Ms. Kiranjeet Kaur, Advocate,
for the petitioner.

Mr. Surinder Pal Singh Tinna, Additional Advocate General,
Punjab, for respondent No.1.

Mr. Umesh Kumar Kanwar, Advocate,
for respondent No.5.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Article 226/227 of the Constitution of India is for issuance of writ in the nature of habeas corpus, directing the respondents No.1 to 3 to release the detenue, namely, Sanchit Deep Singh, aged about 8 years, who is in the illegal custody of respondents No.4 and 5 for the last more than 10 months.

Petitioner is the father of Sanchit Deep Singh. The wife of the petitioner Veerpal Kaur (mother of Sanchit Deep Singh) had died on 19.11.2017. Sanchit Deep Singh is stated to be with the respondents No.4 and 5. Respondent No.4 is the grandmother (nani) of Sanchit Deep Singh, whereas respondent No.5 is his aunt (mother's sister).

Having heard counsel for the petitioner, it has transpired that dispute regarding custody is already pending before the custody court. The petitioner has already moved an application for interim custody and has also been given the visiting rights to meet the child in question.

Since the custody court is already seized with the matter, this Court does not find any reason to interfere in the present petition under Article 226/227 of the Constitution of India.

Dismissed.

(HARI PAL VERMA)
JUDGE

02.11.2018
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No