

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

CRWP No.137 of 2019

Date of Decision: February 04, 2019

Kuldeep Kaur

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Karambir Singh Kahlon, Advocate
for the petitioner.

INDERJIT SINGH, J.

The petitioner has filed this criminal writ petition against State of Punjab and other respondents under Article 226/227 of the Constitution of India for issuance of a writ of Habeas Corpus for directing respondent No.4 to 6 to produce minor daughters Jai Preet Kaur aged 17 years and Simran Preet Kaur aged 15 years and further, to give direction to respondent No.4 to 6 to allow the petitioner to meet her daughters which are in the custody of respondent No.4.

I have heard learned counsel for the petitioner and have gone through the record.

Learned counsel for the petitioner argued that petitioner, who is mother of minor children, has come from USA for one month only and wants to meet her children. The minor children are stated to be Jai Preet

Kaur aged 17 years and Simran Preet Kaur aged 15 years. There is no case

of the petitioner that minors are in illegal detention. There is no case that minors have been taken away forcibly or are residing with respondents No.4 to 6 against their wishes.

The minors are aged 15 and 17 years. As there is no case that they are in illegal custody or have been detained against their wishes or have been taken away recently from the custody of the petitioner, therefore, in these circumstances, habeas corpus petition is not maintainable. The petitioner can approach learned Guardian Judge for this purpose.

Therefore, the present petition being not maintainable, stands dismissed.

February 04, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No