

CRWP-632-2019

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

CRWP-632-2019

Date of Decision:06.12.2019

Charanjit Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Satwant Mehta, Advocate,
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

Mr. L.S.Virk, Advocate for
Mr. Tejinderpal Singh Makkar, Advocate,
for respondents No.4 and 5.

HARNARESH SINGH GILL, J.

In the present criminal writ petition under Article 226 of the Constitution, the petitioner has prayed for issuance of a writ in the nature of *habeas corpus* directing respondents No.2 and 3 to get detenue-Lovepreet Kaur @ Manpreet, aged 10 years, released from the illegal custody of respondents No.4 and 5.

I have heard learned counsel for the petitioner, the learned State counsel and the learned counsel for respondents No.4 and 5.

It is the case of the petitioner that he got married to Gurpreet Kaur, who was the real sister of respondent No.4-Kulwinder Kaur and since

CRWP-632-2019

they had no child, they adopted the detenue and a registered adoption deed in this regard had been executed. Even after the death of Gurpreet Kaur, wife of the petitioner, he had looked after the detenue and discharged his all fatherly responsibilities. Even the minor was attending the school while living with the petitioner. The *Aadhar* Card and the progress report card of school of the detenue have been placed on record by the petitioner. It is further stated that when the detenue was with respondent No.6 for some time, respondents No.4 and 5 had filed CRWP-611 of 2018 and custody of the detenue was handed over to them through court.

Gurpreet Kaur was the real sister of Kulwinder Kaur. Since Gurpreet Kaur has unfortunately passed away, the petitioner got remarried one Simarjit Kaur and out of the said wedlock, two children namely Gurlal Kaur, aged 8-year, and Gagan, aged 6-year, were born. Even the custody of the alleged detenue was handed over to respondents No.4 and 5 being natural parents with the intervention of this Court in CRWP No.611 of 2018.

Therefore, finding no merit in the present criminal writ petition, the same is dismissed.

06.12.2019

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No