

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

CR No.957 of 2020

Date of decision: 10th February, 2020

Supinder Singh @ Sabhi

... Petitioner

Versus

Surinder Kaur

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Amandeep S. Manaise, Advocate for the petitioner.

FATEH DEEP SINGH, J.

As a fallout of matrimonial dispute between Surinder Kaur wife and Supinder Singh alias Sabhi husband, the latter present petitioner, the wife had filed a petition under the Guardians and Wards Act, 1890 (in short, 'the Act') seeking custody of their minor child, a son named Gurseerat Singh aged around 1½ years (date of birth being 11.10.2018). In an application of the wife for grant of ad-interim custody of the minor child, the Court of learned Principal Judge, Family Court, Gurdaspur through impugned order dated 03.02.2020 allowed the application and directed the husband to hand over custody of the minor son to the wife and if so necessitated to take police help.

Upon hearing Mr. Amandeep Singh Manaise, Advocate for the petitioner and perusal of the records.

Learned counsel for the petitioner has made statement withdrawing the present petition at this stage without prejudice to the rights of the petitioner husband to seek custody at the final conclusion of the petition. However, a prayer has been made that the petitioner father be allowed visitation rights.

In the light of this statement of learned counsel for the petitioner, he is allowed to withdraw the present petition. However, keeping in view the interest of the minor child, his mental and psychological upbringing and welfare, it would be in the interest of justice to allow the petitioner father of the child, to have visitation rights to the child during the course of proceedings before the Principal Judge, Family Court, Gurdaspur as long as the petition under the Act is pending. To ensure that there is no undue hardship to the two sides as well as the child, it would be in the fitness of things if the husband is granted visitation rights once in a month, preferably on a holiday. Keeping in view that the place where the child is residing is in a village near a small town, the mother/her representative shall ensure that the child is taken to the local Gurdwara at Mukerian where the petitioner husband, father of the child, would be allowed to meet the child for two hours under the watchful eye of the mother or her representative ensuring that there is due privacy of the petitioner and the child while they interact. The modalities

of the Gurudwara, time and the date would be sorted out by the trial Court within one week of the receipt of a certified copy of this order after due consultation between the parties and their counsel.

The petition stands disposed off in those terms.

(FATEH DEEP SINGH)
JUDGE

February 10, 2020
rps

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