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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-4197-2020

Date of decision-25.06.2020

Jagjeet Kaur

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Janak Singh Bhinder, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Articles 226/227 of Constitution of India for issuance of a writ in the nature of Habeas Corpus for direction to respondents for release of detainee, namely, Hunarveer Singh (son of the petitioner).

During the course of hearing, it is not disputed by learned counsel for the petitioner that respondent No.7 is father of the alleged detainee (minor son) and therefore, this Court is of the opinion that it cannot be construed at all that the child is in illegal custody. The petition is based on disputed facts and therefore, this Court is not inclined to invoke the extraordinary jurisdiction under Article 226 of Constitution of India particularly when the alternative remedy in law under the Guardians and Wards Act,

1890 is available with the petitioner.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

25.06.2020
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No