

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

SHIVANI GUPTA
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CRWP No. 6036 of 2020
Date of decision: 17.08.2020

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Krishan

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Mahavir Singh, Advocate,
for the petitioner.

(Proceedings are conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

In the present petition filed under Article 226 of the Constitution of India, the petitioner seeks directions in the nature of habeas corpus for releasing the detinue namely Vighnesh aged 3 years and 8 months, who is stated to be minor son of the petitioner. The custody is stated to be with respondents no. 4 and 5, who are the maternal grand parents since the petitioner's wife Smt. Anita Nara is a working woman and employed in Bank of India and has to work at various places and, thus, illegal.

It is not disputed that the petitioner has filed a petition under Section 7 of the Guardians and Wards Act, 1890 for custody of the minor child and vide order dated 18.02.2020 (Annexure P-1), he has been granted visiting rights. It is a matter of record that criminal proceedings under Section 498-A IPC are also going on, which would be clear from Annexure P-2.

In such circumstances, this Court is of the opinion that the

In case the petitioner is aggrieved by the non-compliance of the order dated 18.02.2020 (Annexure P-1), he can always file an appropriate application before the Family Court for the necessary relief.

(G.S. SANDHAWALIA)
JUDGE

Yes/No

Yes/No