

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

**CWP-13100 of 2020 (O&M)
Date of Decision: 27.11.2020.**

Gagandeep Kaur

...Petitioner

V/S

State of Punjab & Ors.

....Respondents

CORAM: HON'BLE MR JUSTICE ARUN MONGA

Present : Mr. Amit Kumar Walia, Advocate
for the petitioner.

Ms. Sunint Kaur, AAG Punjab.

Mr. D.S. Sobti, Advocate for
Applicant intervener.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

1. Petitioner herein, *inter alia*, seeks writ of *mandamus* directing the official respondents No.1 to 3 to produce her mother, aged 80 years, either before this Court or before the Court below and permit her to meet the mother. Her grievance is that mother has been forcibly confined and not permitted by respondent No.4 (brother of petitioner) either to meet or telephonically contact the petitioner. She has prayed for granting her meeting rights to interact with her mother at the place of her convenience. Much has been said on the strained family relationship and background thereof.

2. In response to the notice of petition, reply affidavit has been filed on behalf of respondents No.1 to 3.

3. On the other hand, mother of petitioner has also filed CM-9197 of 2020 seeking her impleadment in the writ petition as a party, controverting the stand taken by the petitioner in her petition.

4. In the reply affidavit filed by Deputy Superintendent of Police City-I, Patiala, statement of mother of petitioner has been appended as Annexure R-1/T, in which she has stated as below:-

“Made the statement that I am residing at the above noted address along with family of my son Colonel Parandeep Singh Grewal in rented accommodation. My son Parandeep Grewal has hired this house for five years on lease, where my son Parandeep is residing along with his wife and two sons and myself. I have two children, elder is daughter Gagandeep Kaur wife of Harpreet Singh Sandhu, R/o House No. 259, Sector-6, Panchkula, is married with him. Who is residing in Panchkula alongwith her family. My son Parandeep Singh Grewal is residing at Patiala in rented accommodation on the above noted address along with us. I am residing with the family of my son at my sweet will. I have not been kept as detune by my son or his family. I have not been restrained by my son or his family to meet my daughter Gagandeep Kaur or to talk to her nor they have restrained me from doing so. In case my daughter Gagandeep Kaur wants to come to see me, then my son and his family will not restrain me and will not restrain me to meet her, in case she wants to meet me as a family member. My daughter is alleging that she had provided me Polo car for my use, in fact that car was purchased by her in her name after receiving money from me and handed over to me, which is lying parked in our village Balbar District Sangrur. In case my daughter wants to carry the car, then I have no objection in it. I am residing with my son happily out of my free will without any pressure or any condition of restraining, I have got recorded statement with you, read, is correct.”

5. On a query of Court, learned counsel appearing for intervener/ mother of the petitioner, submits that said statement was recorded by a female Police Officer, namely, Sub Inspector Ms. Jaspreet Kaur, Incharge, Police Post, Model Town, and she had even videographed the said statement.

- 6. In view thereof, without commenting on the allegations and counter allegations contained in the petition and reply filed by private respondents, no interference is called for by this Court, as mother of petitioner is staying with her son on her own volition.
- 7. Writ petition is accordingly dismissed.
- 8. Pending application(s), if any stand disposed of.

November 27, 2020
Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:

Whether reportable:

Yes/No

Yes/No