

CRWP-7075-2020

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

CRWP-7075-2020

Date of decision:17.11.2020

Neelam Rani

...Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rishu Mahajan, Advocate,
for the petitioner.

Mr. S.S.Cheema, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The present criminal writ petition has been filed under Article 226 of the Constitution for issuance of a writ in the nature of *habeas corpus* for the release of detenue-Isha, daughter of the petitioner, who is alleged to have been illegally detained by respondents No.5 to 7.

In pursuance of notice of motion, reply by way of affidavit of the Assistant Superintendent of Police, Sub Division Bholath, District Kapurthala, has been filed. Para Nos.5 and 6 of the reply would read as under:

“5. That it is respectfully submitted that on 31.08.2020, the Child Welfare Committee Kapurthala has heard the matter and has given the custody of the child to the biological mother of the child i.e. Manjit Kaur respondent No.5. True translated copy of the Form 20 for Undertaking by the parents or Guardians or fit

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*person dated 31.08.2020 is attached as Annexure R-1/T.
6. That it is respectfully submitted that now
the child/girl Isha is in the custody of respondent No.5
i.e. Manjit Kaur as per the decision of the District Child
Welfare Committee Kapurthala. The above mentioned
facts intentionally concealed by the petitioner from this
Hon'ble Court, hence the present petition is liable to be
dismissed.”*

While poring the reply filed by the State, it is axiomatic that
child-Isha is now in the custody of her biological mother-Manjit Kaur.

In view of the above, no further orders are called for in the
present criminal writ petition.

Disposed of.

17.11.2020

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No