

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(118)

CRWP NO. 8249 of 2020

Date of Decision : 08.10.2020

SUKHDEV SINGH

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. R.D. Rattewal, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Present petition has been filed seeking the writ of habeas corpus for the release of the minor son of the petitioner, namely, Jaswinder Singh, who according to him, is in illegal custody of respondent No. 5, who is the wife of the petitioner and mother of the detenue.

Learned counsel for the petitioner submits that the detenue has been removed from the custody of the petitioner illegally by respondent No. 5 and the said minor detenue be got released.

Upon notice of motion, Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, on the asking of the Court, contacted the private respondent No. 5 and it transpires that the children including the minor son are living with the mother. Further, as per respondent No. 5, she has left the matrimonial home because of the ill-treatment of the petitioner.

Respondent No. 5 stated that the petitioner is not taking care of the children

and not paying any maintenance and the said responsibility is being discharged by her brother.

Respondent No. 5 further stated that she has no problem in case the petitioner comes and meet the children and also pays the maintenance for their better future.

Learned counsel for the petitioner submits that as respondent No. 5 has raised no objection in case the petitioner intends to meet the children, he has the instructions from the petitioner not to press this petition any further.

Keeping in view the above, present petition is disposed of having been not pressed.

It is made clear that in case the petitioner intends to meet the children, he has to inform respondent No. 5 prior in time.

October 08, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

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