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Sr.No.214

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-9348 of 2020(O&M)
Date of decision:27.11.2020

Dr. Sunita Rani Gupta

... Petitioner(s)

versus

State of Haryana and others

... Respondent (s)

Coram: **Hon'ble Mr. Justice Jasgurpreet Singh Puri**

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

Mr. Naveen Kumar Sheoran, DAG, Haryana.

Mr. Dhiraj Chawla, Advocate
for respondent No.2.

Through Video Conference

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed seeking writ in the nature of habeas corpus directing the respondents to produce the children in the Court and handover the custody and passport of the children to the petitioner.

Petitioner is the wife of respondent No.2. On 10.11.2020 this Court had issued notice of motion and on 12.11.2020 it was directed that the custody of the three minor children namely, Aaron, Khajit and Anitya shall forthwith be handed over by respondent No.2 to the petitioner on or before 16.11.2020. On 23.11.2020 it was stated that the schedule of arrival of the flight at Chandigarh was on 24.11.2020 and that respondent No.2 would handed over the custody of the children to the petitioner in the office of NRI Cell at Mohali by 5:00 pm on 24.11.2020 and with respect to the payment of tickets which has been stated to be made by the petitioner, respondent No.2 was directed to reimburse the amount to

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the petitioner.

Today, when matter has come up for hearing, learned counsel for the petitioner has submitted that petitioner has already got the custody of all the three children and even amount of ticket has also been reimbursed by respondent No.2 to her and therefore, in view of the above, petitioner does not wish to press the present petition.

Learned counsel for respondent No.2 has submitted that respondent No.2 is the father of the children and he has visiting rights to meet the children.

Present petition has been filed in the nature of habeas corpus by the petitioner for releasing of the three children and the same has already been done, therefore, nothing survives in the present petition. However, in case respondent No.2 wants to exercise his rights with regard to the visiting rights then he can always approach the appropriate forum and seek redressal of his grievances in accordance with law.

Disposed of as having been infructuous.

27th November, 2020 **[JASGURPREET SINGH PURI]**
Shivani Kaushik **JUDGE**

Whether speaking/reasoned *Yes/No*
Whether Reportable Yes/No