

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(118)

CRWP-8451-2021

Date of Decision : September 06, 2021

Harpreet Kaur

.. Petitioner

Versus

State of Punjab and others

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Maninder Singh Bajwa, Advocate, for the petitioner.

Mr. Rana Harjasdeep Singh, Deputy Advocate General, Punjab.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed seeking the release of minor detenues Simrat Singh and Anayaitjot Kaur, son and daughter of the petitioner, who according to the petitioner, have been kept in illegal custody by respondents No. 4 to 8.

Learned counsel for the petitioner argues that the petitioner has been thrown out from the matrimonial house and the children, who are minor and need their mother, are being detained by respondents No. 4 to 8 and therefore, a direction be issued that the minor children be released from the illegal custody of respondents No. 4 to 8.

Notice of motion.

Mr. Rana Harjasdeep Singh, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping

in view the service of advance copy of petition, accepts notice on behalf of

the respondent-State.

With the help of learned counsel for the respondent-State, this Court has been able to interact with respondent No.4 and the children (i.e. alleged detainees).

Keeping in view the facts and circumstances, as the children are with their father and are being taken care of, the present petition is disposed of with a direction to the Police Commissioner, Amritsar to decide the representation filed by the petitioner dated 09.08.2021 (Annexure P-1) within a period of 08 weeks from the receipt of copy of this order. While deciding the said plea, respondent No.4 be also associated.

Keeping in view the interaction with this Court, there is a likelihood that the parties might amicably settle their dispute, which should be given preference while deciding the representation.

In case, the petitioner intends to meet the children, she should make a request to the Commissioner of Police, who will look into the said request and will pass appropriate orders with regard to the said request of the petitioner. While passing the said order, the welfare of the minor children be kept in mind.

September 06, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No