

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

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IN VIRTUAL COURT

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**CWP No. 2647 of 2022
Date of decision : 10.2.2022**

Jashanpreet Singh

.....Petitioner

Vs.

District Child Protection Unit, Chandigarh and others

...Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Vikram Satpal Anand, Advocate, for the petitioner

Rajbir sherawat, J. (Oral)

This petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus, directing respondent No.1 to hand over the custody of the new born son of the petitioner and to allow the petitioner to meet his newly born son.

De-hors the status of the petitioner as father, he has been permitted to meet the child and the Station House Officer concerned has been directed to facilitate the meeting of the petitioner with the child vide order dated 3.2.2022 passed by a Co-ordinate Bench of this Court in CRWP N. 1005 of 2022 titled as **Jashanpreet Singh v. State of Punjab and others**. Therefore, qua meeting of the petitioner with the child, no further orders are required.

So far as the present petition is concerned, it is in the nature of staking claim by the petitioner to the custody of the child in capacity of being the father of the child and as legally wedded husband of the respondent No.4. This status cannot be conferred upon the petitioner in the writ petition. Lot of disputed questions of fact and legal consequences are to be decided. The writ

jurisdiction is not appropriate for the same. Hence, the present petition is dismissed.

However, the petitioner would be at liberty to avail alternate remedy, but in accordance with law; to substantiate his assertions and to claim the custody of the child in question.

(RAJBIR SEHRAWAT)
JUDGE

10.2.2022
Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No