

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

**Criminal Writ Petition No. 1505 of 2022
Date of Decision: 22.02.2022**

Jashanpreet Singh

..... Petitioner

Versus

State of Union Territory, Chandigarh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

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

Mr. Parampreet Singh Paul, Addl. PP, U.T., Chandigarh

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

1. After arguing for some time, the learned counsel appearing for the petitioner, seeks permission of the Court, to, withdraw the instant petition.

2. Permission granted. Accordingly, the present petition is dismissed as withdrawn.

3. However, as prayed for, liberty is reserved to the petitioner to institute a civil suit before the learned Civil Court concerned, claiming therein a declaratory relief qua the handing over of the custody of the minor boy, to the child welfare committee concerned, by his mother, hence being non-est, inasmuch as, it arises from no valid consent, being given thereto, by the petitioner, the father of the minor boy. As prayed for, it is also open to the counsel for petitioner to, in the afore declaratory suit, claim any interim relief qua during the pendency of the civil suit concerned, the custody of the minor child being restored to the petitioner. If the afore application is filed alongwith the civil suit concerned, the learned Civil Judge concerned shall,

after hearing all concerned, is expected to make the utmost expeditious decision thereons.

February 22, 2022
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(SURESHWAR THAKUR)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>