

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

CRWP-7628-2022

Date of Decision: 24th November, 2022

Dharampal

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

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

Mr. Jaiteshwar Singh, AAG, Punjab.

Dr. Govinder Singh Brar, Advocate
for the private respondents.

AVNEESH JHINGAN , J.(Oral)

This writ petition in the nature of Habeas Corpus is filed seeking release of minor children of the petitioner from respondents No.4 to 7 (arrayed in the petition).

From the pleadings, it is forthcoming that marriage of petitioner and respondent No.4 was solemnized and the detenues were born out of their wedlock. The prayer in the present petition is that the petitioner be given custody of the minor children.

It would not be out of place to mention that the respondent No.4 is the mother of the detinue i.e. the natural guardian as per the provisions of The Guardians and Wards Act, 1890. There are disputed questions of facts raised in the present petition. There are allegations that respondent No.4 has solemnized marriage with respondent No. 8. Though *prima facie* no evidence is attached with the petition to substantiate such allegations.

No case is made out of illegal detention and as disputed questions of facts are involved, no interference is called for in writ petition.

Petition is dismissed.

(AVNEESH JHINGAN)
JUDGE

24th November, 2022

anuradha

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