

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

215

CRWP-1381-2021

Date of Decision: 28.07.2023

Harpreet Kaur

.....Petitioner(s)

Vs.

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. A.D.S. Sukhija, for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

Mr. M.K. Mittal, Advocate for respondents No. 4 to 6.

ANOOP CHITKARA J. (ORAL)

1. The present petition has been filed to issue a writ in the nature of Habeas Corpus directing the official respondents to produce the minor child namely Assess Kaur, who is in illegal custody of respondents No. 4 to 6 and hand over the custody to the petitioner, being her mother.

2. Counsel for the respondent submits that minor child is a tennis player and performing well. In case, this Court passes any order disturbing her custody that can impact her carrier as player.

3. On the other hand, counsel for the petitioner submits that custody be given to her and they have no objection if visiting rights be given to the respondent.

4. After hearing counsel for both the parties, this Court deems it appropriate that on every, Saturday, Sunday and during vacations, the petitioner will go to the house of respondent No. 4 and pick her daughter and permitted to stay with her at her village and drop her back well before her school/match. When she goes to pick the child, she shall also carry some decent gifts for the family also. The permission to stay with her daughter during Sunday/holiday or in vacation is subject to the condition that her match or practice shall not be hamper. In case of any difficulty faced by either of the parties, they can approach their counsel, who will interact with the counsel of other party and will

solve the issues. This settlement shall go on for one hundred days. Suppose the petitioner approaches the competent Court, under the Guardians and Wards Act, of 1890, before 100 days, in that case, the concerned Court may proceed further following the law except diluting this portion of the order until the completion of one hundred days.

5. With the previously mentioned observations, the present petition is partly allowed. **This order shall eclipse automatically after 100 days**. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

28.07.2023
Jyoti-II

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