

CRWP No.7427-2022

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRWP No.7427-2022
Date of Decision: July 04, 2023

Chinky

.....Petitioner(s)

Vs.

State of Punjab and others

.....Respondent(s)

CORAM:HON'BLE MR.JUSTICE ANOOP CHITKARA

Present: Mr. Parampreet S. Bajwa, Advocate for the petitioner.
Mr. Aditya Kapoor, AAG, Punjab.
Mr. Rajiv Joshi, Advocate for respondents No.4 and 5.
Mr. Anil Malhotra, learned Amicus Curiae

ANOOP CHITKARA J. (ORAL)

The present petition has been filed by the petitioner seeking writ in the nature of Habeas Corpus for issuance of directions to the official respondents No.1 to 3 to get her minor daughter release from the custody of respondents No.4 and 5.

2. I have heard counsel for the parties as well as learned amicus curiae and also interacted with the Petitioner-Chinky, who is present in Court in the presence of both the counsel.

3. Counsel for the parties submits that pursuant to order passed by this Court, custody of the daughter of petitioner has been restored to her.

4. The petitioner-Chinky agrees that the respondents No.4 and 5 (who are grand-parents) may visit her house on first Sunday of every month and they are at liberty to take her minor daughter alongwith them from 8:00 am to 6:00 pm

from Chandigarh and in case she is not available at the residence then she will apprise them in advance about her new address and they can take custody of minor from that place. It is clarified that the child should not be taken against her wishes.

5. In the event if petitioner prevents respondents No.4 and 5 from meeting the minor girl, they are hereby granted the liberty to seek her custody and the petitioner shall be dealt strictly. It is clarified that in case private respondents are unable to meet the child, then it would not mean that they have waived off their rights to meet their grand daughter. This settlement shall go on till the child attains the age of 18 years. When the grand-parents visit the petitioner's house, the petitioner-Chinky will deal them with utmost decency and courtesy.

6. With the aforesaid observations, the present petition is disposed of. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

July 04, 2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No