

231 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:161834
CRWP-9815-2023
Date of Decision: December 16, 2023

Rupinder Kaur ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Petitioner in person along with her counsel.
Mr. Mohit Soni, Advocate.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

Learned State counsel has placed on record the English translated copy of the report of Child Welfare Committed, SAS Nagar, Mohali, which is as under:-

“A representation was given by Rupinder Kaur (Mobile No: 9056903359) on dated 01.06.2023, regarding seeing her son Ekamjit Singh. The child is living with his maternal grandparents. The request was considered by the Child Welfare Committee and dated 07.06.2023, the child Ekamjit Singh and his maternal grandmother Gurmeet Kaur resident of village Kailon, were called to the office of the Child Welfare Committee.

Child Ekamjit Singh and his grandmother Mrs. Gurmeet Kaur appeared before the Child Forgetting Committee on 07.06.2023 and stated that Rupinder Kaur has been suffering from mental illness for a long time. Due to mental illness, she often stays out of the house after the death of her husband and when she comes home she beats her child Ekamjit and her (mother). On 07.06.2023 Mrs. Rupinder Kaur herself came to the office of the Child Welfare Committee, her attitude towards the child and her mother was not appropriate and she left the office of the Child Welfare Committee without informing anyone.

According to the written statement given by the child, Ekamjit Singh, the child does not want to live with his mother because she

often beats him. The child wants to live with his grandmother. Gurmeet Kaur also attested the statement of child Ekamjit Singh. The Child Welfare Committee after considering the statement given by the child Ekamjit Singh and his grandmother decided that the child Ekamjit Singh is safe with her grandmother and he will stay with his grandmother till next order. A copy of this decision should be given to Mrs. Gurmeet Kaur (mother of the child) resident of village Kailo for information.”

On the asking of learned counsel for the petitioner that detinue child, who is present in Court, is ready to accompany the petitioner, this Court asked detinue in the open Court and he clearly states that he wants to accompany his maternal grandmother and not the petitioner.

In view of the report of the Child Welfare Committee and wishes of the detinue, no direction can be given by this Court for handing over the custody of detinue to the petitioner. As such, this petition is hereby disposed of with liberty to petitioner to avail other remedies as available to her, in accordance with law.

December 16, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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