



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

246

CRWP-283-2024 (O&M)
Date of decision: 15.05.2024

SOHAN LALPetitioner
Versus

STATE OF PUNJAB AND OTHERS ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Manmat Singh, Advocate for
Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

Mr. Saurav Bhatia, Advocate for respondents No.6 and 7.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, under Article 226/227 of the Constitution of India, prayer is made for the issuance of a writ in the nature of Habeas Corpus to the official respondent, to get the detinue (Ravjot singh s/o Sohan Lal) (aged 08 years), and Jasmeet Kaur d/o Sohan Lal (aged 05 years), resident of village Simbal Majra, Tehsil Balachaur, District Shaheed Bhagat Singh Nagar (SBS Nagar), released from the illegal custody/detention of the respondents No.6 to 8.
2. It transpired from the perusal of the petition, that petitioner is the father of the alleged detinue children, and respondents No.6 and 7, are the father-in-law, and mother-in-law of the present petitioner.
3. Learned counsel for respondents No.6 and 7, submits that the petitioner had left India, and settled abroad in the year 2018, and never maintained



the children, and his wife. Learned counsel for respondents No.6, and 7 further submits that because of the said reason, the mother of the children, went abroad, and now is doing household job, and maintaining the children by sending them money. Learned counsel for respondents No.6, and 7, also submits that they do not have any objection, in case the visiting rights is provided to the petitioner, till the issue regarding the custody of the children is adjudicated by the competent Court of law.

4. Though the submissions made by counsel for respondents No.6 and 7, is disputed by learned counsel for the petitioner, however, he agreed that in case the visiting rights is provided to the petitioner, his grievance would be redressed.

5. In view of the consensus arising between both the learned counsel for the parties concerned, the petitioner is granted the visiting rights, to meet his children, at the residence of respondents No.6 and 7, on each Sunday.

6. It is expected from respondents No.6 and 7, that they would facilitate the meeting between the petitioner and his children, and will not create any hindrance in the same.

7. This is only an interim arrangement, subject to the right of the petitioner to file an appropriate motion for seeking custody of the child before the appropriate Court of Law/Forum.

8. The instant petition is **disposed of** accordingly.

9. All pending miscellaneous application(s), if any, stand disposed of accordingly.

15.05.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No