

2024 PI II IC: C84095



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

Sr. No.241

CRWP-6156-2024 (O&M)
Date of decision : 08.07.2024

Ashok Kumar Dhull

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Ms. Savita Bhandari, Advocate, for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

Mr. Ashok Gupta, Advocate, for respondent No.3.

KIRTI SINGH, J. (Oral)

1. The prayer in this petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus.

2. Notice of motion was issued in this case on 02.07.2014 and the parties were directed to appear before this Court in person.

3. In compliance to aforesaid order, the parties are present in Court today.

4. I have personally interacted with respondent No.3-Sonika (mother) and girl-child in my chamber and as per the interaction, the girl-child is studying in 4th class and is happy with respondent-mother.

5. In view of above, the habeas corpus petition is not maintainable as the girl-child is in lawful custody of her mother and is happy to be with her. Hence, the present petition stands dismissed.

6. This Court is conscious of the fact that a child of this tender age requires love and affection from the parents and the parents shall refrain

themselves from involving the child in their personal/matrimonial disputes

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and the interest and welfare of the child shall be paramount consideration for them.

7. In view of above and in the interest of justice, the parties are directed to appear before the Mediation & Conciliation Centre at Rohtak on 16.07.2024 at 10.00 a.m. to see whether there are any chances of an amicable settlement between them. The parties are advised that during the mediation, they shall remain conscious of the fact that the outcome of the said mediation will be affecting the interest of the girl-child.

8. The report of the Mediation Centre, Rohtak be awaited for of before 31.07.2024. The Registry is hereby directed to put up the case on 31.07.2024.

9. The petitioner is directed to pay Rs.10,000/- to respondent No.3- Sonika (mother) as litigation expense.

10. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

08.07.2024
Ramandeep Singh

Whether speaking / reasoned

Yes/No

Whether Reportable

Yes/No