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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH****CRWP-7605-2023****Date of Decision: 30.07.2024****Gursewak Singh**

..... Petitioner

**Versus****State of Haryana and Others**

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Mr. Yash Pal Gupta, Advocate with  
Ms. Garima Kuthiala, Advocate  
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Ms. Tanisha, Advocate for  
respondents No. 5 to 7 and 10.

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**AMARJOT BHATTI, J.**

1. Petitioner Gursewak Singh has filed petition under Articles 226 and 227 of Constitution of India for issuance of writ in the nature of Habeas Corpus for directing respondents to produce detenue-Nidhi Singh before this Court and to hand over the child to petitioner or for passing any other appropriate direction against the private respondents as the Court may deem fit in the given facts and circumstances of case.

2. It is argued that detenue-Nidhi Singh is daughter of present petitioner who is three and a half years old and was studying in Mind Tree School at Ambala City, Haryana. Unfortunately, wife of petitioner committed suicide on 11.04.2023, while petitioner was in factory and his parents were in Patiala. He was under great shock. His minor child Nidhi Singh was forcibly taken away by private respondents No. 5 to 10.

Regarding this incident, police complaint dated 20.07.2023 was filed, which is Annexure P-5 and FIR bearing No. 160 dated 20.07.2023 was registered under Sections 362/369/391/506/452 of IPC at Police Station Sector 9, Ambala City, which is Annexure P-6. Ultimately, present writ petition has been filed.

3. Notice was given to respondents. Matter was referred to Mediation and Conciliation Centre but mediation failed. With direction of this Court, petitioner was allowed to interact with child who was staying with her grand parents. There is detailed order of this Court dated 06.10.2023 and child was handed over to petitioner on 15.10.2023. All terms and conditions for the betterment of child were detailed in aforesaid order. Today, it is informed that child has been admitted in school by petitioner and she is living happily with her father.

4. Learned counsel representing respondents No. 5 to 7 and 10 pointed out that for the safety and in the interest of minor child, father should give undertaking that he will not alienate the property of minor child till she attains the age of majority.

On asking of this Court, learned counsel representing aforesaid respondents could not give any detail of property which is in the name of minor child and which father should not alienate.

On the other hand, petitioner who is present in Court with his counsel stated that he will not do anything which is adverse to the interest of child.

5. I have considered the aforesaid factual position. Petitioner being father is the natural guardian of child. At present, child is in the safe custody of her father. Considering the history of present case, in order to

maintain cordial relations for benefit of minor child, both petitioner and respondents No. 5 to 7 and 10 will follow the directions as detailed in order dated 06.10.2023.

Present petition is rendered infructuous and it is accordingly disposed of.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

**(AMARJOT BHATTI)**  
**JUDGE**

**30.07.2024**  
*lalit*

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