



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

**LPA No.990 of 2022 (O&M)
Date of Decision: 25.07.2024**

Sukhwinder Kaur

.....Appellant.

Versus

State of Punjab and others

.....Respondents.

**CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
 HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present:- Mr. Sarju Puri, Advocate
 for the appellant.

Ms. Arundhati Kulshreshtha, AAG, Punjab.

G.S. SANDHAWALIA, J.(Oral)

The challenge herein is to the order dated 23.09.2022 passed by learned Single Judge in **CRWP No.5109 of 2021** titled ***Sukhwinder Kaur Versus State of Haryana and others***, whereby the criminal writ petition filed by the appellant for issuance of a writ in the nature of *habeas corpus* directing respondents No.2 and 3 to recover the minor children from the illegal detention of respondents No.4 to 9 and to restore their custody to the appellant-mother, has been dismissed on account of the fact that she is facing trial under Section 302 IPC for committing the murder of her husband.

2. Mr. Sarju Puri has stated that he has no instructions to appear on behalf of the appellant as the appellant is not in touch with him. He prays to withdraw his power of attorney. The prayer is accepted.



3. Keeping in view the above facts and circumstances, it seems that the appellant is not interested in pursuing the litigation. Resultantly, we dismiss the present appeal for want of prosecution. However, we leave it open to the appellant to agitate for her grievance under the provisions of the Hindu Minority and Guardianship Act, 1956/Guardians and Wards Act, 1890, if permissible as per law.

(G.S. SANDHAWALIA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

July 25, 2024
Yag Dutt

Whether speaking/reasoned: Yes
Whether Reportable: No