



**106 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRWP No.3126 of 2025
Date of decision: 03.04.2025**

Preet Kaur

.....Petitioner

Versus

State of Punjab and Others

.....Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. Sandeep Kumar, Advocate for the petitioner(s).

Mr. Mavpreet Singh, DAG, Punjab.

Respondent Nos.4 and 5 in person.

H.S. GREWAL

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of writ in the nature of *habeas corpus* for the release of detainee, namely, Maninder Singh (aged about 13 years), minor son of the petitioner, from illegal custody of respondent Nos.4 and 5, the paternal grand parents of the child.

2. In compliance of order dated 27.03.2025, status report dated 02.04.2025 by way of affidavit of Anwar Ali, PPS, Deputy Superintendent of Police, Nihal Singh Wala, District Moga, on behalf of respondent Nos.1 to 3 has been filed which is taken on record.

3. The alleged detainee was produced in Court today and was sent to the Child Counsellor of this Court for counselling and thereafter, the case was taken up after lunch. It is stated by Ms. Neharika Malik, Child Care Counsellor that she



has interacted with the alleged detainee-child and she could make out that the child is happy with his grand parents namely Gurnam Singh son of Phaggan Singh and Baljit Kaur wife of Gurnam Singh (respondent Nos.4 and 5) and is not in any way physically harmed or illegally detained by the private respondents. She further states that the child is residing happily with his paternal grand-parents.

4. In the light of the above, no further orders are required to be passed by this Court. Therefore, the child who is residing with his paternal grand parents who being natural guardians of the child, cannot be said to be in illegal detention.

5. Therefore, the present petition is disposed of with the observations that if the paternal grand parents of the child have no objection and further in case if the petitioner wants to meet the child, she, on prior information to the grand-parents of the child, may meet the child once in a fortnight at a child’s friendly place.

6. It is however, made clear that this order shall not come in the way of the petitioner in case she wants to pursue alternative remedy under the provisions of the Guardians and Wards Act 1890.

03rd April, 2025
Sonia Puri

(H.S. GREWAL)
JUDGE

<i>Whether speaking/ reasoned</i>	:	<i>Yes / No</i>
<i>Whether reportable</i>	:	<i>Yes / No</i>