

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

2025:PHHC:074783



154

**CRM-M-30683-2025 (O&M)
Date of Decision: 29.05.2025.**

Parveen Rani

...Petitioner.

Versus

State of Punjab and others

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Ashish Nagar, Advocate and
Mr. Dinesh Nagar, Advocate
for the petitioner.

SUKHVINDER KAUR, J.

Prayer in the instant petition filed under Section 528 of BNSS is for issuance of directions to respondents No.2 to restrain the private respondents from interfering into the peaceful life and liberty of minor children, namely Tavisha and Manvir Bains and taking their forcible custody from the petitioner and to look into and decide complaint Annexure P-5 sent by the petitioner to Police Station NRI Cell, S.B.S. Nagar, in a time bound manner.

Learned counsel for the petitioner has inter alia contended that two minor children, namely Tavisha and Manvir Bains were born out of the wedlock of Jaswant Ram brother of petitioner and Ramandeep Kaur (sister-in-law of the petitioner) on 06.07.2013 and 03.12.2015 respectively. The petitioner is real sister of the father of minor children, namely, Jaswant Ram,

whose marriage was solemnized about 12 years ago. Since the day of her marriage, general behaviour and character of respondent No.4 was under cloud. Brother of the petitioner tried to make respondent No.4 understand but of no avail and respondent No.4 never performed her matrimonial obligations towards her husband and minor children. He further contended that during this period the petitioner's brother also sensed that respondent No.4 was in extra marital relations with two persons of village Naura, Tehsil Nawashahr, District S.B.S. Nagar. It was brought to the knowledge of parents of Ramandeep and her father tendered written apology to petitioner's brother. The conduct of Ramandeep Kaur towards the minor kids and family members of her husband became from bad to worse and she used to leave the matrimonial house without informing anyone. In 2023, petitioner's brother left India for green pastures and in his absence Ramandeep Kaur started living her life in her own style. Petitioner's brother wrote request letter to village Panchayats of Souli (parental village of Ramandeep Kaur) and village Panchayat Naura, District S.B.S. Nagar. Ramandeep Kaur sent text messages to petitioner's brother threatening to commit suicide and then brother of the petitioner sent online application from Dubai to P.S. NRI, Nawashahr. Police recorded statements from both sides but did not take any action against Ramandeep Kaur. On 10.01.2025, she left her matrimonial home after leaving the minor children and the matter was informed by the petitioner to her brother i.e. father of minor children in Dubai, who instructed the petitioner to keep children with her at her matrimonial home. He also executed authority letter to this effect in favour of the petitioner. He urged that since 10.01.2025, minor children are residing and staying with her, under her care and protection and they are

studying in 6th and 4th standard respectively, in SRC Jain Model Senior Secondary School, Banga, District S.B.S. Nagar. The petitioner has been providing entire necessities of life to the minors. He argued that the private respondents are threatening to take custody of minor children by hook or crook and even by force. The petitioner has also filed a civil suit for permanent injunction for restraining the private respondents from interfering in any manner in the life of minor children and from restraining them from taking forcible custody of the minor children in due course of law. He has contended that the private respondents are exerting illegal pressure upon the petitioner for forcibly handing over the custody of the minor children to Ramandeep Kaur.

Respondent No.4-Ramandeep Kaur is natural mother of the minor children, who are now allegedly residing with the petitioner. The dispute appears to be regarding custody of the minor children. Thus, efficacious alternative lawful remedy is available to the petitioner which has not been exhausted and as such, the present petition is not maintainable and is disposed of accordingly.

(SUKHVINDER KAUR)
JUDGE

29.05.2025.

Komal

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