



CR-7066-2024 (O&M)

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

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CR-7066-2024 (O&M)

Date of Decision: 10.02.2025

Komal

... Petitioner

V/S

Rajesh

.... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Vivek Goyal, Advocate, for the petitioner.

SUVIR SEHGAL, J. (ORAL)

1. This revision petition has been filed under Article 227 of the Constitution of India, for issuance of direction to the Family Court, Panchkula to decide the application, Annexure P-9, for interim custody of a minor child as well as petition, Annexure P-8, filed under Section 25 read with Section 12 of the Guardians and Wards Act, 1890.
2. Counsel for the petitioner submits that the petitioner was married to the respondent on 13.12.2018 and a male child was born out of the wedlock on 24.11.2020. He submits that although sufficient dowry was given at the time of the marriage, but the respondent and his family members were not satisfied, petitioner was treated with cruelty and turned out of the matrimonial home on 24.07.2022. He asserts that the minor child remained with the respondent, who is a police official.



Counsel submits that an FIR has been registered and despite attempts, petitioner has not been given the custody of the child, forcing her to file a petition under the Guardians and Wards Act, 1890, in the month of September 2024, which is pending. He submits that an application, Annexure P-9, for interim custody was simultaneously moved, which is also pending. Counsel asserts that as the child is below the age of 5 years of age, the custody has to be given to the petitioner. He confines the prayer for a direction to the Court for disposal of the application, Annexure P-9, in a time bound manner.

3. Having heard counsel for the petitioner and without calling upon the respondent, this Court is of the view that the limited prayer made by the petitioner deserves to be accepted.
4. Petition is disposed off. Family Court, Panchkula shall make an endeavour to decide the application for interim custody of the child, Annexure P-9, as expeditiously as possible within a period of four months from the date of receiving of certified copy of this order.

10.02.2025
pooja saini

(SUVIR SEHGA L)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>