



CWP-10551-2026

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

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CWP-10551-2026

Date of Decision: 08.04.2026

Ambaliya Kanchanbhen Djibhai

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Ms. Shivani Choudhary, Advocate
for Mr. Akshay Bhan Choudhary, Advocate for the petitioner
Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner along with her husband wants to meet Kinjal aged 14 years and Sahil aged 10 years, who at present are staying at SOS Children's Village, Rajpura. They further want custody of aforesaid children.

2. The petitioner is claiming that she is maternal grandmother of Kinjal and Sahil. She and her husband being maternal grandparents want to meet Kinjal and Sahil, who at present are staying at SOS Children's Village, Rajpura under observation of Child Welfare Committee, Patiala. Parents of aforesaid children have passed away. She came to know whereabouts of aforesaid children in April' 2025 and appeared before Authorities on 19.04.2025 and 21.04.2025 with an intent to obtain custody. She travelled from Ahmedabad to Patiala. She met children on 22.04.2025 who recognized her. She again travelled from Ahmedabad to Patiala on 02.06.2025 and met aforesaid children. State of Gujarat authorities conducted inquiry and prepared a comprehensive social investigation report

which was transmitted to authorities at Patiala on 30.06.2025. The petitioner

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was denied custody on the ground that children are unwilling to go with their grandmother.

3. During the course of hearing, Mr. Aman Dhir, Deputy Advocate General, Punjab, who on advance notice is present in Court on behalf of respondent-State, produced copy of reply to legal notice dated 21.08.2025. The same is taken on record. Registry is directed to tag the same at an appropriate place.

4. Learned State counsel submits that it was unearthed that the petitioner, at one point of time, had sold aforesaid children. They were recovered in merciless condition. They, at present, are getting education and do not wish to accompany petitioner.

5. Heard the arguments and perused the record.

6. There is no evidence that petitioner and her husband are actual maternal grandparents. The children are not willing to accompany them. The girl was found working as domestic servant. As per State counsel, there are relatives from father's side too who are claiming custody.

7. In the backdrop, this Court does not find it appropriate to direct respondents to hand over children to petitioner. The possibility of human trafficking cannot be ruled out. The petitioner may avail remedies as permissible by law for the custody of aforesaid children.

8. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

08.04.2026*Mohit Kumar*

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