



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

168

CRWP-4626-2026(O&M)
Date of decision: 21.04.2026

Bihari Lal

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Harpreet Singh Multani, Advocate for the petitioner(s).

VINOD S. BHARDWAJ, J. (Oral)

1. The present petition has been filed for issuance of a writ in the nature of Habeas Corpus for the purpose of searching the detenues, namely, Anushka and Pari, minor daughters of the petitioner, who have allegedly been illegally detained by respondents No.4 and 5.

2. Learned counsel appearing on behalf of the petitioner does not dispute that he was married to respondent no.4 Neeraj Devi and that the minor daughters namely Anushka and Pari were born out of the said wedlock. He also does not dispute that the respondent no.4 being the mother of the minor had left the household alongwith her daughters. He vehemently argued that as per his information, his wife respondent no.4 is currently residing with respondent no.5, without getting a divorce, and is not allowing the petitioner to meet his minor children. It is contended that in such circumstances, the welfare of the minor children is thus likely to be compromised.

3. It is evident from the arguments advanced by learned counsel for the petitioner as well as the grievance espoused in the present petition that he is principally aggrieved of not being allowed to meet the minor daughters and seeks custody of the children from his wife. Such a plea requires consideration of various aspects before the best interest of the minor can be determined and such an aspect can only be done after considering the evidence led by the respective parties before the family Court.

4. On being confronted that the statutory provisions laying down the procedure for seeking custody and visitation rights of the children before the family court by way of an appropriate petition and thus availability of the efficacious alternative remedy, counsel for the petitioner seeks withdrawal of the present petition so as to avail his alternative remedies.

5. Needless to mention that in the event of the petitioner approaching the family Court and submitting an application for interim relief, such an application for interim visitation rights be decided expeditiously and preferably within a period of three months of the parties appearing before the Family Court.

6. Disposed of as withdrawn accordingly.

21.04.2026
Mangal singh

(VINOD S. BHARDWAJ)
JUDGE

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