



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(275)

CRWP NO.12080 OF 2025(O&M)

Date of Decision: 02.04.2026

Jaspreet Kaur Sandhu

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr. Raj Kumar Gupta, Advocate, for the petitioner.
Mr. Subhash Godara, Addl. AG, Punjab.
Mr. Sunny K.Singla, Advocate, for respondents no.4 to 6.

SUBHAS MEHLA, J (ORAL)

Present criminal writ petition under Article 226 of the Constitution of India has been filed by the petitioner for issuance of a writ in the nature of habeas corpus for issuance of direction to official respondents to immediately produce and handover minor son of petitioner/ mother namely Ujar Singh Sandhu, aged about 10 months, who is in illegal custody of private respondents.

2. Vide order dated 13.11.2025, passed by a Co-ordinate Bench of this Court, notice of motion issued to the respondents and respondent no.3 was directed to ensure presence of respondents no.4 to 6 along with minor child before this Court.

3. On 28.11.2025, Status Report was filed by learned State counsel on behalf of respondents no.1 to 3 and respondents no.4 to 6 along with minor child appeared before Court represented by Mr. Sunny K. Singla, Advocate and on the joint request of learned counsel for the parties, matter was referred to the Mediation and Conciliation Centre of this Court for

amicable settlement and General Counselor was also appointed to take up



the matter with the parties, who also filed her report dated 12.12.2025, which is annexed with the petition. Vide order dated 25.03.2026, passed by this Court, on the request of petitioner, respondent no.4 was directed to produce the minor child before the Court on 02.04.2026 and today i.e on 02.04.2026, child has been produced before the Court by respondent no.4.

5. Heard learned counsel for the parties.

6. The main ground taken by respondent no.4/husband is that the petitioner/mother left the detinue, now who is minor child of 14 months alone and went to her matrimonial home in the month of September 2025; that when he reached home, child was found fallen from the bed and was lying on the ground; that child was taken care by grandmother of the child, i.e, mother of respondent no.4; that the present petition was not filed immediately when incident occurred but after about two months; that if the petitioner wishes to take custody of the minor child, she can file an appropriate application as she herself abandoned the child and handed over his custody after leaving her matrimonial home.

7. On the other hand, the contention of learned counsel for the petitioner is that the petitioner was beaten up and due to domestic violence, she left her matrimonial home.

8. Keeping in view the contentions of the learned counsel for the parties, contents of the petition, report of the General Counselor and the reply filed by the state, present petition is **disposed of** with a direction to the petitioner to file a petition before the competent Court for custody of her child and if she wants the interim custody of her child, she can file an application before the appropriate Court / trial Court and the learned trial



Court is directed to decide the said application for interim custody within 4 weeks of the receiving of the petition / application, keeping in mind the age of the detenue / minor child.

9. Respondent no. 4 to 6 is also directed that when notice is given to them, they will not create any hindrance in adjudication of the application for interim custody.

10. **Disposed of** in the above terms.

02.04.2026
mamta

(SUBHAS MEHLA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No