

BALJEET KAUR V/S VIMAL PARKASH

Present: Petitioner – Baljeet Kaur – with
Ms. Simi Kandra, Advocate.

Mr. Parvinder Singh, Advocate for the respondent.

Mr. Manish Bansal, PP UT Chandigarh.

On 25.09.2025 the following order was passed :

“The parties are present in Court alongwith the three minor children. Two at the moment are with the respondent-father and the elder daughter is with the petitioner-mother. This Court has interacted with the elder daughter who is with the mother and it transpires that the three siblings have not even met each other for a very long time nor have they spoken on the phone. The respondent has stated that though the custody of the son was given to the petitioner-mother, however, the son is now staying with him as he does not wish to stay with the mother. It is unfortunate that in a dispute between a couple, the children are being used as pawns. The children have been unfortunately separated and no effort is being made by either of the parties to at least ensure that the siblings remain in touch with each other.

The parties, who are present in Court, have agreed today that the respondent-father would take both the children to the petitioner-mother’s residence on 02.10.2025 at 11.00 am and both the children would remain there and would spend time with the elder sister till 05.00 pm. The respondent-father will collect both the children at 05.00 pm. Both parties are expected to behave cordially and permit the children some uninterrupted time together.

List on 08.10.2025.”

Today, in the pre-lunch session, learned counsel for the petitioner had apprised the Court that the respondent-father did not bring the children to the house of the petitioner-mother, as directed vide order dated 25.09.2025, and it was only at about 07.00 pm that he brought the children and thereafter took them back at 08.00 pm. Learned counsel has further informed the Court that on the intervening night of 7/8th October 2025 the respondent made 6 calls to the counsel for the petitioner which she did not take. Since neither the respondent nor his counsel were present, the case was passed over.

In the post-launch session, learned counsel for the petitioner informed the Court that during the lunch break the respondent hit the counsel for the petitioner and that he was in a totally drunken state. She further apprised the Court that the Police was called on the spot who have taken the respondent in custody.

Mr. Sartej Singh Narula, President of the Punjab and Haryana High Court Bar Association has apprised the Court that the respondent was in custody of the Police at Sector 3 Police Station, Chandigarh and that they are waiting for the statement of the counsel for the petitioner to be recorded in order to proceed further in the matter. Mr. Narula has further assured the Court that all assistance would be rendered to the learned counsel for the petitioner and that somebody from the Executive Committee would accompany her to the Police Station.

At this stage, learned counsel for the respondent states that the respondent had refused to comply with the order dated 25.09.2025 and that today after his unruly behaviour the learned counsel wishes to withdraw his power of attorney.

It has also been brought to the notice of this Court by the learned counsel for the respondent that no pass was got issued from his office for the respondent to enter the Court premises. It appears that the respondent entered the Court premises without any authorization from his own lawyer. It remains uncertain as to whether the respondent was issued any pass or managed to enter the premises without a pass.

Mr. Sartej Singh Narula, President of Punjab and Haryana High Court Bar Association has also assured the Court that measures were being put into place and that soon no entry would be allowed without proper pass or RIFD Cards.

What is of great concern to this Court is that all the three minor children are present in Court today. On an interaction by this Court, both the children whose custody is with the respondent-father have expressed their willingness to accompany the petitioner-mother. The petitioner-mother, namely, Baljeet Kaur, who is present in Court, has assured this Court that she would take care of both the children till such time as further orders are passed in this regard. Keeping in view the happenings of today and the unruly behaviour of the respondent, this Court deems it appropriate to hand over the custody of both the minor children (Baby KXXXX and Baby PXXXX) whose custody was with the respondent-father, to the petitioner-mother as an interim measure.

Mr. Manish Bansal, PP UT Chandigarh, on the asking of the Court, has assured the Court that adequate Police help would be provided to the petitioner since the petitioner apprehends that as the custody of both the minor children (Baby KXXXX and Baby PXXXX) was being handed over to

the petitioner-mother as an interim measure, the respondent-father may come and create a ruckus or indulge in unruly behaviour.

On the assurance of Mr. Bansal, PP UT Chandigarh, this Court is sanguine that adequate security would be provided in order to safeguard the life and interest of the minor children as well as the petitioner.

List on **31.10.2025**.

08.10.2025
Yogesh Sharma

(**ALKA SARIN**)
JUDGE