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

FAO-4655-2025 (O&M)

Date of Decision: 31.07.2025

Narinder Kumar & others ...Appellants

Versus

Vandana Rani & another ...Respondents

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL
HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

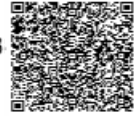
Present: Mr. Vipin Kumar Sharma, Advocate,
for the appellants.

GURVINDER SINGH GILL, J.

1. The appellants, who are the father and paternal grand-parents of the minor children namely Manveer Singh and Yuvraj Singh, assail order dated 23.05.2025 vide which the Principal Judge, Family Court, Camp Court at Balachaur, has granted visitation rights to respondent No.1 – Vandana Rani (wife of appellant No.1 – Narinder Kumar) in the following terms:

“.....the petitioner is granted visitation rights to meet her minor children once in a month in the Court from 3.00 PM to 5.00 PM on every last Friday of the month.”

2. The matter arises out of a petition filed by Vandana Rani (respondent No.1 herein) under Sections 7, 8 & 25 of the Guardian and Wards Act, 1890 read with Section 6 of the Hindu Minority and Guardianship Act, 1956 seeking custody of her minor children namely Manveer Singh and Yuvraj Singh, wherein she averred that her marriage was solemnized in January, 2013 with Narinder Kumar (appellant No.1 herein) and that two children were born out of the wedlock. It is averred that she was, however, turned out from her



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matrimonial home in August, 2022 and ever since she has been residing with her parents. It is further the case of respondent No.1 that while her husband i.e. appellant No.1 – Narinder Kumar had gone abroad, her two minor children were residing with their grand-parents i.e. appellants No.2 & 3 and that because of their old age, they were not able to look after the minor children effectively.

3. The said petition was, however, opposed on the ground that respondent No.1 herein had been giving beatings to the minor children and that the minor children also did not wish to reside with her and that on an earlier occasion, respondent No.1 alongwith her brothers had kidnapped the minor children leading to lodging of an FIR against respondent No.1. The appellants, while filing their reply further took up a stand that respondent No.1 does not even have sufficient sources of income to maintain the children.
4. A separate application was filed by respondent No.1 before the Family Court seeking issuance of directions to produce the minor children and to allow her to meet them.
5. The Family Court upon considering the facts on record allowed the said application vide impugned order while permitting respondent No.1 – Vandana Rani to meet her minor children once in a month for two hours i.e. from 3.00 PM to 5.00 PM on last Friday of every month.
6. Learned counsel for the appellants, while assailing the impugned order, submitted that it is the appellants, who have always been taking care of the minor children, whereas respondent No.1 is not even possessed of sufficient means to ensure proper upkeep and education of minor children. It has further been submitted that respondent No.1 in fact has a criminal bent of mind as she



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alongwith her brothers had kidnapped the minor children leading to lodging of FIR and as such, her influence on the minor children will have adverse effect and consequently, she does not deserve to be granted visitation rights.

7. We have considered the submissions addressed on behalf of the appellants.
8. While it may be correct that some FIR may have been lodged against respondent No.1 (wife), but lodging of an FIR when some matrimonial litigation is pending between the parties at the instance of one of the party is normally an outcome of matrimonial discord and the mere factum of lodging of FIR cannot *ipso facto* be lead to an inference that such of the parent is not fit enough to look after the minor children or even to be granted visitation rights. The Family Court has rather been very conservative in granting visitation rights, which is barely for two hours once in a month. Respondent No.1 being the biological mother of the minor children cannot be deprived of such visitation rights particularly when there is nothing on record to disentitle her for the same.
9. Consequently, we do not find any infirmity in the impugned order dated 23.05.2025. Finding no merit in the appeal, the same is hereby dismissed.

(GURVINDER SINGH GILL)
JUDGE

31.07.2025

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(DEEPINDER SINGH NALWA)
JUDGE

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