

Constitution of India, Article 226 – Custody of child – Child repeatedly stated that he wanted to stay with his mother and not with his father – This Court wanted to go into the reasons for the same but the same could not be ascertained in view of the tender age of the child and there was also a likelihood that he may also be facing emotional stress but the child categorically and repeatedly stated that he wanted to remain with his mother – However, till a such right of custody is adjudicated by a competent Court or any other legally permissible mode whatsoever, this Court is of the opinion that the custody of the child should remain with the mother – The retention of child with the mother cannot be termed as an illegal custody.

[2022 PLRonline 7050](#)

[SHUBEG SINGH v. STATE OF PUNJAB, \(2022-1\)205 PLR 069, 2022 PLRonline 7050](#)