



2026:AHC:175287

HIGH COURT OF JUDICATURE AT ALLAHABAD

HABEAS CORPUS WRIT PETITION No. - 1101 of 2026

Master Easher Kalra Minor And Another

.....Petitioner(s)

Versus

State Of Uttar Pradesh And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Deeksha Gupta, Siddharth Srivastava
Counsel for Respondent(s)	:	G.A.

Court No. - 73

HON'BLE SANDEEP JAIN, J.

By order dated 05.08.2026, the State and respondent No. 4, Smt. Simran Kaur, were directed to produce the corpus, Master Easher Kalra before this Court. In compliance with the said order, the corpus, Master Easher Kalra, has been produced before this Court by his mother, Simran Kaur.

This Court interacted with the corpus, Master Easher Kalra, who disclosed that he is about six years of age and is studying in Class I at G.D. Goenka Public School, Lucknow. He further disclosed that he is comfortable in the company of his mother and does not wish to reside with or interact with his father. The corpus was also present in Court and, from his demeanour and conduct, it was apparent that he shares a strong emotional bond with his mother and is very comfortable in her company. He also made certain allegations regarding the conduct of his father.

This Court also interacted with respondent No. 4, Simran Kaur, who stated that her marriage with the petitioner, Prince Kalra, has ended in divorce, which was granted by the Principal Judge, Family Court, Sant Kabir Nagar, vide order dated 09.12.2025. She, however, submitted that the said order does not contain any direction regarding the custody of the child. She further submitted that the corpus has been brought up by her and that, being his mother, she is entitled to his lawful custody. She stated that she is a qualified cosmetologist, working in Lucknow and earning approximately Rs. 70,000/- per month. She further submitted that she does not intend to remarry and wishes to devote herself to the care, upbringing and education of the corpus in a good school.

This Court also interacted with the petitioner, Prince Kalra, who disclosed that he is employed in a private company and earns approximately Rs. 11 lakh per annum. He submitted that, being the father of the corpus, he is entitled to his custody. He further submitted that he had admitted the corpus to Akal Academy, Baru Sahib, District Sirmaur, Himachal Pradesh, as a boarding student, but the respondent, Simran Kaur, took the corpus away from the said school without informing him. He submitted that he had admitted the corpus to one of the best schools in the country and that he is financially capable of providing him with proper care, education and facilities. He further submitted that, being the father, he is equally concerned with the welfare and overall development of the corpus and, therefore, his custody be handed over to him.

From the interaction with the parties and the material placed before the Court, it is apparent that the marriage between the petitioner, Prince Kalra, and respondent No. 4, Simran Kaur, has been dissolved by a decree of divorce granted by the Principal Judge, Family Court, Sant Kabir Nagar, vide order dated 09.12.2025. The said order, however, does not appear to contain any specific direction regarding the custody of the minor corpus. Both the estranged spouses are educated and financially competent and are, therefore, capable of taking care of the corpus. However, at present, the corpus has a strong emotional bond with his mother and is comfortable in her company.

In the aforesaid circumstances, this Court does not deem it appropriate to disturb the existing custody of the corpus, as any abrupt change in his custody at this stage may not be conducive to his emotional well-being and overall development. The corpus is only about six years of age. During his interaction with the Court, he appeared to be intelligent, mature and articulate for his age and freely expressed his feelings and preference to reside with his mother. His preference appears to be a conscious expression of his present emotional attachment and cannot, in the circumstances of the case, be disregarded.

In the considered opinion of this Court, respondent No. 4, being an educated and financially competent woman, is presently capable of taking proper care of the corpus and providing him with a conducive environment for his

education, upbringing and overall development. Accordingly, this Court is not inclined to hand over the custody of the corpus to the petitioner, Prince Kalra. At the same time, the petitioner, being the father of the corpus, is entitled to maintain and develop an emotional bond with his son. Appropriate visitation and interaction rights are, therefore, required to be granted to him.

Accordingly, the petitioner, Prince Kalra, shall have the right to meet the corpus as and when he desires at the residence of respondent No. 4, Smt. Simran Kaur, who is presently residing at Lucknow. The petitioner shall also be entitled to interact with the corpus daily through video conferencing on a mobile phone between 6:00 p.m. and 9:00 p.m.

The petitioner shall further be entitled to have temporary custody of the corpus during school recesses and vacations/holidays. The petitioner undertakes to restore the custody of the corpus to respondent No. 4, Simran Kaur, before the expiry of such recess, vacation or holiday. Respondent No. 4 shall not create any hindrance or obstruction in the petitioner's meetings or interaction with the corpus and shall extend all necessary cooperation in maintaining the emotional bond between the petitioner and the corpus.

Subject to the aforesaid observations and directions, the habeas corpus petition is ***disposed of***.

(Sandeep Jain,J.)

August 19, 2026

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