

146 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CNR No: PHHC011560972026

2026:PHHC:129066



CRWP-11201-2026 (O&M)
Date of Decision: 11.09.2026

ASHOK

... PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. D.C.Dhaulta, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. This petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *Habeas Corpus* with a roving writ to search for the detenues mentioned in para No.3 of the petition at the premises of Brick Kiln of respondents No. 5 to 7 or at any other place to be pointed out by the petitioner at the spot and get them released with their belongings from the illegal custody of respondents No. 5 to 7.

2. Learned counsel for the petitioner submits that the detenues have been working at the brick kiln of respondents No. 5 to 7 but they have been illegally detained by them without any wages and are not allowed to leave the same.

3. Notice of motion to respondents No.1 to 4 only at this stage.

4. At the asking of the Court, Mr. P.S.Pandher, AAG,

5. I have heard learned counsel for the parties and have also gone through the material placed on record.

6. A Division Bench of this Court, while dealing with a similar case in *LPA No. 32 of 2013*, decided on 11.01.2013, titled as *Murti versus State of Punjab and others* has observed that there can indeed be no doubt that if a labourer has been detained as bonded labour, it amounts to an offence under Sections 16 & 17 of the Bonded Labour (Abolition) Act, 1976. It was further observed that the District Magistrate concerned is under statutory obligation to hold a fact finding enquiry as and when a complaint alleging violation of the provisions of the aforesaid Act is received.

7. Consequently, this criminal writ petition is disposed of with a direction to the District Magistrate, Ludhiana (respondent No.2) to treat this petition as a complaint under the Bonded Labour (Abolition) Act, 1976 and take immediate action in accordance with law for the release of the alleged detainee, within a period of one week from the date of receipt of a certified copy of this order along with a copy of the writ petition.

11.09.2026

Janki

(H.S.GREWAL)
JUDGE

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