

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

220

Criminal Writ Petition No.1780 of 2015

Date of decision: December 24, 2015

Madan

....Petitioner

versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No

2. To be referred to the Reporters or not? Yes/No

3. Whether the judgment should be reported in the Digest? Yes/No

Present: None for the petitioner.

Mr. Rupam Aggarwal, D.A.G., Punjab.

DAYA CHAUDHARY, J.

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus for release of the detenues as mentioned in Para No.2 of the petition.

Notice of motion was issued on 11.12.2015. Warrant Officer was also appointed and directed to visit the premises of respondents No.4 and 5.

In response thereto, Warrant Officer has submitted his report dated 19.12.2015 which is already on record.

A perusal of report would show that Warrant Officer visited the brick kiln and some of the alleged detenues were standing nearby

their kacha houses and on his asking, they have told that they were not being paid wages for the work done by them. The owner of the brick kiln also reached there and it was brought to the notice of the Warrant officer that they were not interested in continuing their work on the brick kiln and want to go to their native place. It has also been stated by the owner of the brick kiln that he has no objection in case the alleged detenues want to leave the brick kiln. Thereafter, the alleged detenues left the place alongwith their belongings. It is also mentioned that the premises of brick kiln were not having any fence or boundary wall and prima facie, it cannot be inferred that none of the alleged detenues were detained illegally.

In view of the report of the Warrant Officer and also the fact that the alleged detenues were not found to be in illegal detention of respondent No.4; and moreover, they have left the place alongwith their belongings, nothing survives in the present petition and the same being devoid of any merit is hereby dismissed.

December 24, 2015

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**(DAYA CHAUDHARY)
JUDGE**