

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

228

**Crl. Writ Petition No.495 of 2015
Date of decision: August 31, 2015**

Ashok Kumar

....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, DAG, 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 writ petition from illegal custody of respondents No.4 and 5 as they have violated the mandatory provisions of Bonded Labour System Abolition Act, 1976 and Inter-State Migrant Workman and Employment Act, 1979.

Notice of motion was issued on 27.03.2015. Respondent No.2 was directed to visit the spot in person or to assign duty to the subordinate and to ascertain the factum of alleged detention.

In response thereto, reply by way of an affidavit of District Magistrate-cum-Deputy Commissioner, Moga has been filed in Court today and the same is taken on record.

Learned State counsel, on the basis of reply, submits that respondent No.2 constituted committee a consisting of Sub Divisional Magistrate, Dharmakot, Deputy Superintendent of Police, Dharamkot, District Food and Supply Controller, Moga and Assistant Labour Commissioner, Moga and they have visited the brick kiln on 08.04.2015. He also submits that the alleged detenues were present there and their joint statement was recorded wherein it has been mentioned that they were working on their own at M/s G.D. Brick Jalalabad East for the last two months and they are not in illegal detention and have received their wages as per Labour Act. It has also been mentioned in the reply that those labourers were sent to their village along with their belongings and nobody was found as bonded labourer.

In view of stand taken in the reply, nothing survives in the present petition and the same being devoid of any merit is hereby dismissed.

August 31, 2015
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(DAYA CHAUDHARY)
JUDGE