

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

Criminal Writ Petition No.479 of 2018(O&M)

Date of Decision: June 08 , 2018.

Jagannath

..... PETITIONER (s)

Versus

State of Punjab and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: None for the petitioner.

Ms. Deepali Puri, Addl.AG, Punjab.

LISA GILL, J.

The petitioner sought a writ in the nature of Habeas Corpus directing respondents No.2 and 3 to produce the detenues detailed in para 3 of the writ petition. It is averred that the said detenues were working at the brick-kiln of respondent No.4 but in spite of completing the work, their remuneration was not paid and they are in the illegal custody of respondents No.4 and 5.

Respondent No.2 was directed by this Court vide order dated 30.05.2018 to take immediate action in accordance with law and the alleged detenues, if found in illegal custody of respondents No.4 and 5 be released immediately.

Status report by way of affidavit dated 05.06.2018 of Mr. Kumar Amit, IAS, District Magistrate, Patiala was placed on record on the last date of hearing. However, as none had appeared on behalf of the petitioner, the case was adjourned for today. Registry was directed to inform learned counsel about the date fixed in this case. As per report of the Registry, counsel for the petitioner has

been informed telephonically. However, there is again no representation on behalf of the petitioner today.

As per report dated 05.06.2018, it is stated that the Sub Divisional Magistrate, Samana visited the spot personally on 01.06.2018 in compliance with order dated 30.05.2018 of this Court. As per his report dated 04.06.2018, the petitioner and the other labourers were found present at the brick-kiln. Inquiries were made from the owner-respondent No.5. The petitioner and the alleged detenues expressed their grievance that there was no more work at the brick-kiln and they intend to return to their village, but respondent No.5 i.e., the owner of the brick-kiln was not settling their account. The owner of the brick-kiln stated that the labourers had made a verbal commitment to work at his brick-kiln till 30.06.2018, but he had no objection if they wanted to leave the place. It is further stated that the entire account was settled by the brick-kiln owner in the presence of the Sub Divisional Magistrate, Samana over which the petitioner-Jagan Nath expressed his satisfaction and gratitude as well. The alleged detenues, it is reported, left for their native villages on the next day in transportation arranged by them. They could not leave the premises on the same day due to bad weather.

In view of the status report, duly accompanied by the report of the Sub Divisional Magistrate, Samana, no further orders are called for in this petition.

Disposed of accordingly.

June 08 , 2018.
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(LISA GILL)
JUDGE

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