

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRWP-1781-2020 (O&M)
Date of Decision:- 26.2.2020

Rajkumar		... Petitioner
Versus		
State of Punjab and others		... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioner.

Ms. Rashmi Attri, AAG, Punjab,
assisted by ASI Rakesh Raj.

GURVINDER SINGH GILL, J.(Oral)

Pursuant to order dated 17.2.2020 a Warrant Officer visited the premises in question. Report of Warrant Officer has been received, the relevant extract of which reads as follows:

“I took round of the premises and saw that some of the alleged detenus were there in their kacha houses. There was no fence or boundary wall surrounding their premises. I also saw that there was no proper provision of electricity of water in that area and there was no constructed latrine bathroom. On my query to the alleged detenus regarding their grievances, they apprised me that they were working at the brick kiln from the last six months but owner of the brick kiln is not paying them their due wages in time as per

the agreement/contract entered in between them in lieu of the work rendered by them in the brick kiln as such it has become impossible for them to survive there without adequate wages with their respective families and also in the absence of all basic amenities viz electricity, water etc. They further apprised me that they are not allowed to visit the doctors at the time of the need and are not paid anything for medical expenses. They further stated that owner of the brick kiln is also not allowing them to leave the brick kiln alongwith their families and their belongings. In these circumstances they are not willing to keep working there, hence wanted to go back to their respective villages. Moreover they also apprised me that they have no telephone number of the owner of the brick kiln as such rendering me unable to talk to the owner. At that point of time the police officials apprised me that the premises of the brick kiln does not fall within the jurisdiction of police station Chamkaur Sahib but falls within the jurisdiction of the police station Khamano and as such the presence of the police officials from the police station Khamano is required. As such I called the police party from the police station Khamano to which ASI Supinder Singh and ASI Manjit Singh arrived at the scene and there were apprised about the raid. Thereafter the alleged detenus out of the total number of the alleged detenus as mentioned in petition, left the premises of the brick kiln alongwith their belongings i.e. household articles and equipments in my presence in a Tata 407 Tempo arranged/hired by the petitioner bearing No.PB-12Q-5822. Thereafter the police party was also discharged from the spot after receiving the summons from me and I spared the police officials and left for Chandigarh at 09.50 p.m. Thereafter we alongwith the petitioner came back to police station Chamkaur Sahib and the alleged detenus left for their respective houses at U.P.”

In view of the aforestated position, it is apparent that the alleged detenues have left the brick kiln wherein it was alleged that they had been illegally detained. In these circumstances, no further direction is required to be issued. The petition, as such is dismissed having been rendered infructuous.

February 26, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No