

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Writ Petition No. 3618 of 2020

Date of Decision: 17.07.2020

Gurnam Singh

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal

Present: Mr. Kuldip Singh, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, Assistant Advocate
General, Punjab for respondents No.1 to 4.

Anil Kshetarpal, J.

The present writ petition has been filed for issuance of a writ in the nature of habeas corpus. As per the case of the writ petitioner, the alleged detenues, enumerated in para 3 of the writ petition, are being forced to work at brick kiln belonging to respondent No.5.

On 11.07.2020, the following order was passed:-

“This petition, under Article 226 of the Constitution of India, is for the issuance of a writ in the nature of habeas corpus, for the release of alleged detenues from the custody of respondent No.5.

Ld. Counsel contends that the alleged detenues, whose names are mentioned in Para No. 3 of the Petition, are in the illegal custody of respondent No.5, at the brick kiln-M/s Shiv Shambu, Bricks Industry, Village Arniwala, Mahuana Road,

Tehsil and District Fazilka. It is further contended that there is apprehension to their lives, at the hands of respondent No.5.

Notice of motion for 17.07.2020 to respondents No.1 to 4, only.

In this view of the matter, a situation has arisen to appoint a Warrant Officer, who shall search the whereabouts of the alleged detainees, at the aforesaid address, and if, they are found in illegal custody of respondent No.5, they be got released forthwith. The Warrant Officer may seek assistance of local police-respondent No. 4-Station House Officer, Police Station Arniwala, District Fazilka. The fee of the Warrant Officer shall be determined by the Registry as per the Rules and borne by the petitioner.

The specific report of the Warrant Officer be also placed on record before the next date of hearing.”

The Warrant Officer has submitted his report dated 17.06.2020 to the effect that the labourers at the brick kiln did not want to work there and therefore, they were allowed to leave the premises.

Keeping in view the aforesaid report, the correctness whereof is not disputed by learned counsel for the petitioner, the present writ petition is rendered infructuous and is disposed of as such.

(Anil Kshetarpal)
Judge

July 17, 2020
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No