

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

120

CRWP-7758-2020

Date of decision: 25.09.2020

Rajiv Kumar

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. H.S. Baath, Advocate
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Rajiv Kumar, stated to be aged 28 years, has filed the present petition *inter alia* with a prayer for issuance of a writ in the nature of habeas corpus for the release of detenues, mentioned in Para 4 of the petition, who are illegally detained by respondents No.4 to 6.

Learned counsel for the petitioner, based on the pleadings, submits that the petitioner along with his family members, were contacted by respondents No.4 to 6 at their native village on 05.09.2020, to work at their brick kiln. He submits that the list of detenues (14 in number) mentioned in Para 4 of the petition, are still being detained by respondents

No.4 to 6 against their wishes. Counsel then submits that in this regard, the petitioner has filed a representation (Annexure P-1) to the District Magistrate, Panchkula, Haryana (respondent No.2). In Para 7 of the petition, learned counsel has referred to the submission that respondents No.4 to 6 has violated the provisions of The Bonded Labour (Abolition Act, 1872).

Notice of motion.

On asking of the Court, Mr. Rajiv Goel, DAG, Haryana, accepts notice on behalf of the State.

Without commenting upon merits of the case, this Court deems it appropriate to dispose of the present petition with a direction to the District Magistrate, Panchkula, Haryana (respondent No.2) to visit the premises of respondents No.4 to 6 himself or through the authorized officer and act in accordance with law to ensure the safety of the detenues. Respondent No.2 is further directed to record the statement of detenues (14 persons named in Para 4 of the petition) and in case, they are found to be detained in illegal custody of respondents No.4 to 6, he may proceed in accordance with law as per the Government instructions and take effective steps that may be required.

Let the needful be done within two months from the date of receipt of copy of this order.

A copy of this order be sent to the District Magistrate, Panchkula, Haryana (respondent No.2), by the Registry through e-mail or any other mode, so as to enable the said authority to do the needful expeditiously.

Criminal Writ Petition is disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

25.09.2020
anju rani

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