

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CRWP-8185-2020

Date of decision: 08.10.2020

Bikramjit Singh

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Amandeep Singh Gulati, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

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-Bikramjit Singh, stated to be aged 29 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 respondent No.4.

Learned counsel for the petitioner, based on the pleadings, submits that the petitioner and his close relatives are working with respondent No.4 since 15.09.2020. But due to the misbehaviour of respondent No.4, petitioner ran away from his clutches and the detenues (seven in number) are working in the brick kiln against their wishes. He

further submits that the detenues are being abused and beaten up mercilessly by respondent No.4 and their accomplices. He submits that the detenues (mentioned in Para 4 of the petition), are still being detained by respondent No.4 against their wishes. In Para 7 of the petition, learned counsel has referred to the submission that respondent No.4 has committed an offence under Section 16 & 17 of the Bonded Labour System Abolition Act, 1976 and he has also violated the Article 23 of the Constitution of India.

Notice of motion.

On asking of the Court, Ms. Rashmi Attri, AAG, Punjab, 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, Amritsar, Punjab (respondent No.2) to visit the premises of respondent No.4 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 (07 persons named in Para 4 of the petition) and in case, they are found to be detained in illegal custody of respondent No.4, 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, Amritsar, Punjab (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

08.10.2020
anju rani

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