

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

271

CRWP-875-2019

Date of decision: 18.02.2020

Shimla

.....Petitioner

Versus

State of Punjab & others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : None for the petitioner.

Mr. Arun Kaundal, D.A.G., Punjab
for respondents No. 1 to 3

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the present petition for issuance of a writ in the nature of habeas corpus directing respondents No. 2 and 3 to get the detenues named in para no. 3 of the petition released from illegal custody of respondents No. 4 to 6

Vide order dated 03.10.2019 passed by a Co-ordinate Bench of this Court, respondent No. 2- District Magistrate-cum-Deputy Commissioner, Moga was directed to personally look into the matter and file an affidavit with regard to the averments in the petition.

In compliance with the same, short reply by way of affidavit of Sandeep Hans, IAS, District Magistrate, Moga has been filed on behalf of respondent No. 2.

In his affidavit, Sandeep Hans, IAS, District Magistrate, Moga has submitted that in compliance to the order of this Court, Sh.Pawan Kumar, Tehsildar, Dharamkot along with SHO PS Kot Ise Khan accompanied by officials of Labour Department and Patwari

Halqa, Karyal District Moga, raided the premises of S.R. Bricks located at Cheema-Karyal Road Tehsil Dharamkot District Moga and checked the entire area of the said Brick Kiln, but it was found closed and not in operation. On coming to know that another brick kiln owned by the same owner Sh. Satish Bansal S/o Kasturi Lal was operational, the said party immediately raided the premises of said brick kiln but all persons present there feigned ignorance regarding the alleged detainees.

As per statements of Sushil Kumar, partner of respondent No. 4-owner and respondent No. 6 Shera, the detainees do not work on the said brick-kiln.

None had appeared for the petitioner on 11.12.2019 and none has appeared for the petitioner even today.

Also, there is no ground to disbelieve the report of the District Magistrate, Moga.

In view of the non-appearance of anyone on behalf of the petitioner today and the report submitted by the District Magistrate, Moga, no action is required to be taken on the present Habeas Corpus petition which is disposed of accordingly.

18.02.2020
kavneet singh

(ARUN KUMAR TYAGI)
JUDGE

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