

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

229

CRWP-988-2019

Date of decision: 07.01.2020

Rohit

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : None for the petitioner.

Mr. Arun Kaundal, DAG, Punjab
for respondents No.1 to 3.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the present petition under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of habeas corpus for the release of detenues mentioned in para No.4 of the petition from illegal custody of respondents No.4 and 5 by appointment of a warrant officer.

Vide order dated 23.10.2019, respondent No.2-District Magistrate, Ludhiana was directed to visit the premises of the alleged brick kiln himself or depute some other officer to visit the same and ascertain whether the persons mentioned in para No.4 of the petition were in illegal detention and, if so, to get them released.

In compliance with the order, reply by way of short affidavit of Harminder Singh Hundal, Tehsildar Khanna, District Ludhiana was filed. However, vide order dated 28.11.2019, District Magistrate, Ludhiana was directed to himself conduct an enquiry in terms of Section 12 of the Bonded Labour System (Abolition) Act, 1976.

In compliance with the above said order short affidavit of Pardeep Kumar Aggarwal, District Magistrate, Ludhiana has been filed. In his affidavit, the deponent has mentioned that he along with SDM Khanna and members of Vigilance Committee, Sub Division, Khanna visited and conducted enquiry at the concerned brick kiln. On enquiry from the residents of the village it was found that the persons mentioned in para No.4 of the petition did not work at the said brick kiln and on search they were not found within the premises of the above said brick kiln. In his affidavit, the deponent has concluded that none of the persons mentioned in the petition was bonded or was ever bonded at the said brick kiln.

In view of the affidavit of respondent No.2-District Magistrate, Ludhiana, no action is required to be taken on the present habeas corpus petition, which is disposed of accordingly.

07.01.2020

Vinay

(ARUN KUMAR TYAGI)
JUDGE

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