

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRWP No.11247 of 2021 (O&M)

Date of Decision: November 26, 2021

Irfan

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Subhash Kumar, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed for issuance of a writ in the nature of habeas corpus for release of detenues as mentioned in para 4 of the petition alleged to be detained illegally by respondents No.6 and 7.

Learned counsel for the petitioner herein would contend that petitioner and his family members were contacted by respondents No.6 and 7 in the month of October, 2021 for molding kacha bricks at Brick Kiln in question at the rate of Rs.600/- per thousand bricks. Respondents No.6 and 7 have not paid wages amounting to Rs.70,000/- to the petitioner and his family members and started taking forcible work from them. It is further contended that when they objected to the said action of private respondents, they were harassed and humiliated and illegally detained to take forcible work from them without any payment. The petitioner herein escaped from illegal detention of private respondents on 26.11.2021 and approached respondents No.2 and 3 vide complaint dated 26.11.2021 (Annexure P-1) to

get released his family members from illegal detention of respondents No.6 and, but respondents No.2 and 3 have not taken any action thereon.

Learned counsel for the petitioner would further argue that as per the judgment rendered by Division Bench of this High Court in LPA No.32 of 2013 titled as *Murti Vs. State of Punjab and others* decided on 11.01.2013, respondent No.2 has to conduct enquiry as per Section 12 of the Bonded Labour System (Abolition) Act, 1976 on the complaint and to get the detenues released forthwith in case, they are founded to be bonded labour by private respondents but no action has been taken by respondent No.2 on the complaint of the petitioner herein.

Notice of motion to the official respondents only.

At this stage, Mr. Kuldeep Tiwari, Addl. AG Haryana, who is present in court, accepts notice on behalf of the official respondents and submits that the official respondents will look into the matter and will take a decision on the complaint of the petitioner. Let sufficient number of copies of the complete paper book be supplied to him during the course of day.

In view of the above, the instant petition is disposed of with a direction to respondent No.2 to conduct an enquiry as per Section 12 of the Bonded Labour System (Abolition) Act, 1976 on the complaint (Annexure P-1) of the petitioner within three days and in case, the detenues are found in illegal detention of private respondents, they be released forthwith.

November 26, 2021

vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No