

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Writ Petition No.983 of 2019
Date of Decision: August 31, 2021

Samim @ Saddam

...Petitioner

Versus

The State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Samim @ Saddam has filed this petition under Articles 226/227 Constitution of India seeking issuance of a writ in the nature of Habeas Corpus and warrant officer be appointed for release of the detenues mentioned in para No.4 of the petition from the illegal custody of respondent Nos.4 to 6.

On 22.10.2019, notice of motion was issued and the following order was passed:-

“The petitioner is seeking a writ in the nature of habeas corpus for the release of the alleged detenues described in para no.4 of the petition who are stated to be illegally detained by respondents No.4 to 6.

Issue notice to respondents No.1 to 3 only.

At the asking of the Court, Mr.Satish Saini, DAG, Haryana accepts notice on behalf of respondents No.1 to 3 and

prays for time to file reply.

Respondent No.2 is directed to personally look into the matter and file an affidavit with regard to the averments in the petition.

List on 29.10.2019”

Pursuant to notice of motion in the petition, status report by way of affidavit of Anshaj Singh, IAS, District Magistrate, Sonapat and enquiry report of the Sub Divisional Magistrate (Civil), Sonipat have been filed, wherein it is mentioned that none of the detenues were found at the alleged place, much less, in the illegal detention and in this regard, the inspection report is attached with the report as R-1. The relevant paragraph of the reply reads as under:-

“That from the above mentioned facts and enquiry report, it is submitted that no person(s) were illegally detained at the said brick kiln. Therefore, the mandatory provisions of Bonded Labour System (Abolition) Act, 1976 have not been violated and there is no bonded labour at the said brick kiln.”

In view of the above, nothing survive for adjudication in this petition and the same is rendered infructuous.

Disposed off as such.

August 31, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No