

123.

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

CRWP-826-2022

Date of Decision: 28.01.2022

(Heard through VC)

TINKOO

.... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Arvind Galav, 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 present petition alleged to be detained illegally by respondents No.4 to 6.

The petitioner herein has alleged that he along with his family members, mentioned in para 4 of the petition, had been detained by the private respondents No.4 to 6 and they are not being paid their wages. Petitioner managed to escape whereas his family members have been detained at the place of brick kiln under threat and are not allowed to move anywhere from that place.

Learned counsel for the petitioner would 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,

the District Magistrate concerned has to conduct enquiry as per Section 12 of the Bonded Labour System (Abolition) Act, 1976 upon any representation given by the aggrieved person as complaint and to get the detenues released forthwith in case they are found to be bonded labour.

Notice of motions to the official respondents only.

Ms. Gunkirat Kaur, AAG, Punjab, who is present through the medium of video conferencing, accepts notice on behalf of official respondents and submits that the official respondents will look into the matter and will take an appropriate decision.

Let sufficient number of copies of the complete paper book be supplied to her during the course of day.

The instant petition is disposed of with a direction to the official respondents to treat the instant petition as representation/complaint made by the petitioner and conduct an enquiry as per Section 12 of the Bonded Labour System (Abolition) Act, 1976 and in case the detenues are found in illegal detention of private respondents, they be released forthwith.

(JAISHREE THAKUR)
JUDGE

28.01.2022

sanjeev

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