

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

CRWP No.1522 of 2022 (O&M)

Date of Decision: February 18, 2022

Sandeep

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Paramveer Singh, 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.4 to 7.

Learned counsel for the petitioner herein would contend that petitioner and his family members were contacted by respondents Nos.4 to 7 in the month of December, 2021 to work in their brick kiln for manufacturing of *kacha* bricks at the rate of Rs.740/- per thousand. It is further contended that the private respondents have kept the persons mentioned in para 4 of the petitioner as detenues at the brick kiln under threat and do not allow them to move anywhere from the brick kiln. The petitioner approached the local police station vide representation dated 10.02.2022 (annexed with the petition) to get released his family members from illegal detention of respondents No.4 to 7, but no action is taken so far.

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

Notice of motion to the official respondents only.

At this stage, Mr. A.S. Gill, Sr. DAG Punjab, 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 representation 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 treat the instant petition as a representation and conduct an enquiry as per Section 12 of the Bonded Labour System (Abolition) Act, 1976 within three days upon receipt of copy of this order and in case, the detenues are found to be in illegal detention of private respondents, they be released forthwith.

February 18, 2022

vijay saini

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No