

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

**Criminal Writ Petition No. 3462 of 2022
Date of Decision: 18.04.2022**

Vegraj

..... Petitioner

Versus

The State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Aditya Partap Singh, Advocate for the petitioner.

Mr. Sumit Gupta, Additional Advocate General, Haryana
for official respondents No. 1 to 3 / State.

Mr. Sandeep Yadav, Advocate
for respondents No. 4 & 5.

SURESHWAR THAKUR, J. (ORAL)

1. This Court, on 14.04.2022, had made the hereinafter extracted directions:-

“ Learned counsel for the petitioner would contend that the petitioner was working as a Chowkidar under respondent Nos. 4 and 5 in their factory in the name and style Rama Mill, Near Vishkarma Chowk, Plot No. 150, Sector 29, Part-II, Panipat for the last two years. It is further the contention that the petitioner was an employee and was also given good and shelter. The learned counsel would further contend that though the petitioner managed to escape from the factory premises, however, his wife, the alleged detenue, namely, Kamlesh has been illegally detained by respondent Nos. 4 and 5 for the last one week.

Notice of motion for 18.04.2022.

Meanwhile, the Registry is directed to appoint a Warrant Officer, who shall search for the whereabouts of the alleged detenue, at the address mentioned in the petition or at any other place(s) as may be indicated by the petitioner, and

if, the alleged detenue is found to be in illegal custody of respondent Nos. 4 and 5, she be got released forthwith. The fee of the Warrant Officer shall be determined by the Registry as per Rules and borne by the petitioners. The report of Warrant Officer be also placed on record before the next date of hearing. ”

2. The afore made directions have been complied with. The District Magistrate, Panipat, has filed a reply / status report, qua the factum of compliance being meted to the above made orders. The afore reply / status report of 16.04.2022, as, furnished by the learned State Counsel, in Court today, is taken on record.

3. Tritely, the allegations made in the petition by one Vegraj (petitioner) become completely repelled by the afore reply / status report, filed to the petition, by the District Magistrate, Panipat, inasmuch as, from the candidly made therein communications, of the complainant and his wife Kamlesh, as revealed by the register of wages, as, maintained by the owner of the factory concerned, becoming liquidated all their wages.

4. Therefore, since no evidence to rebut the afore factum, has produced by the learned counsel for petitioner, thereupon, the petitioner – Vegraj and his wife cannot be concluded to be working as bonded labourers in the factory concerned.

5. Moreover, since in the report, as, submitted to this Court, by the Warrant Officer, it is revealed, that one Kamlesh is voluntarily residing and obviously without no coercion with her husband, and, that she has not been detained by anybody. Furthermore, when it is also revealed in the report of Warrant Officer, that both Vegraj, and, his spouse one Kamlesh, have

made in the petition, that co-respondents No. 4 & 5 have illegally detained one Kamlesh, also does not survive at all.

6. In the face of above, the present petition is disposed of, accordingly.

April 18, 2022
'dk kamra'

(SURESHWAR THAKUR)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>