

**131 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRWP-3998-2022

Date of decision : 28.04.2022

Mangal Singh

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kuldip Singh, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Article 226 of the Constitution of India for the issuance of a writ in the nature of habeas corpus for release of the nineteen detenues mentioned in para 3 of the petition, who are alleged to be in the illegal custody of private respondent No.5.

Learned counsel for the petitioner has argued that the petitioner along with other workers was working at the brick kiln, namely, M/s Sachdeva Bros B.K.O. Bricks Co. Pvt./respondent No.5 as labourer and they were engaged to work for season commencing from August 2021 to April 2022, but despite expiry of the period, respondent No.5 has forcibly kept the detenues in the brick kiln, who are being forced to work for the next season also. He submits that the petitioner somehow managed to escape the workplace on 22.03.2022, therefore, he has approached this Court seeking writ of habeas corpus for release of the detenues. He submits that though a representation dated 22.04.2022 (Annexure P-2) stands submitted before Deputy Commissioner, Fazilka, but no action has been taken upon the same,

therefore, he prays for issuance of necessary directions.

During the course of hearing, it is not disputed that wife and children of the petitioner are still working in the said brick kiln and it has not been explained as to why the representation regarding illegal detention was given one month after the alleged escape of petitioner from the said brick kiln.

After hearing learned counsel for the petitioner and considering the above background, particularly the conduct of the petitioner, who left the workplace leaving his family there, has chosen to give the representation after a delay of one months, so the contents of the petition do not inspire confidence, therefore, this Court is not inclined to exercise the extra ordinary writ jurisdiction under Article 226 Constitution of India.

Dismissed.

(MANOJ BAJAJ)
JUDGE

28.04.2022
vanita

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