

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

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CRWP-5882-2022

Date of Decision: 23.06.2022

PREM SINGH

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

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

Mr. Randhir Singh, Addl. A.G., Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

Instant Habeas Corpus petition has been filed under Article 226 of the Constitution of India for the release of detenues mentioned at paragraph No.2 of the petition from the illegal and unlawful custody of the respondents.

Learned counsel for the petitioner has submitted that the petitioners as well as the alleged detenues had been engaged by the private respondents at their farm and that despite the petitioners as well as the alleged detenues having performed their obligation, their dues are not being paid and that they have been illegally detained by the private respondents. He further makes reference to the representation (Annexure P-1) submitted to the District Magistrate, Kaithal in this regard.

Taking into consideration the facts pertaining to the non-payment of the dues payable to the labour as also the allegations pertaining to their being kept as bonded labour, the District Magistrate is the primary authority to examine the same under the Bonded Labour System (Abolition)

Act, 1976. An issue of similar nature had come up in Appeal before the Division Bench of this Court in LPA No. 32 of 2013 (O&M) decided vide order dated 11.11.2013 titled as “Murti versus The State of Punjab and others”.

Accordingly, the instant Criminal Writ Petition is disposed of with a direction to the respondent-District Magistrate, Kaithal to treat the representation (Annexure P-1) as a complaint under Bonded Labour System (Abolition) Act, 1976 and to take necessary and appropriate action in accordance with law within a period of one week from the date of receipt of certified copy of this order.

Petition stands disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

23.06.2022
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No