

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRWP-8808-2022

Date of Decision: 12.09.2022

Jameel

.... Petitioner

Versus

The State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Aditya Pratap Singh, Advocate for the petitioner.

ASHOK KUMAR VERMA, J. (ORAL)

Prayer in this Criminal Writ Petition under Article 226 of the Constitution of India is for issuance of a writ in the nature of Habeas-Corpus for the release of detenues as mentioned in para 2 of the writ petition from the illegal and unlawful custody of respondents No. 4 to 6 by appointing a warrant Officer.

Briefly, the petitioner and the detenues as mentioned in para 2 of the petition were contacted by respondents No. 4 and 5 at their brick kiln under the name and style of OM.5 situated in village Mandi, Police Station Israna, Tehsil Israna District Panipat, for manufacturing kachha bricks @ Rs.850/- per thousand kachha bricks and assured the petitioner and the detenues that they would not have any problem regarding the payment. Later on, the petitioner and the detenues found that the work has not yet been started at the brick kiln and they requested respondents No. 4 and 5 to allow them to go to their home and earn their livelihood

but they did not allow them to go in violation of the provisions of Bonded Labour System Abolition Act, 1976. The petitioner has also moved a representation dated 07.09.2022 (Annexure P-1) to respondent No. 2-District Magistrate, Panipat, in this regard but till date no action has been taken on the said representation. Hence, the present writ petition.

Learned counsel for the petitioner submits that at this stage he would be satisfied if the present writ petition is disposed of with a direction to respondent No. 2 to examine and take action on the issues raised by the petitioner in his representation dated 07.09.2022 (Annexure P-1).

I find the prayer made by learned counsel for the petitioner to be reasonable.

Accordingly, at this stage, without commenting on the merits of the case, the present petition is disposed of with a direction to respondent No.2 –District Magistrate, Panipat, to examine the representation dated 07.09.2022 (Annexure P-1), submitted by the petitioner and decide the same as expeditiously as possible. If some substance is found in the averments made in the representation, respondent No. 2 shall take further action in accordance with law.

September 12, 2022

rishu

(ASHOK KUMAR VERMA)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No