

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

CRWP No.10228 of 2022 (O&M)

Date of Decision:26.10.2022

Ravi Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

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

Mr. Rohit Ahuja, DAG, Punjab.

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**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 2 of the petition alleged to be detained illegally by respondents No.4 & 5 at their brick kiln under the name and style R+S situated in village Maneli, Police Station Khamano, Tehsil Khamano, District Fatehgarh Sahib.

Learned counsel for the petitioner herein would contend that petitioner and detenues were contacted by respondents No.4 and 5 for manufacturing raw bricks at their brick kiln, for which a contract was entered into between the detenues and respondents No.4 and 5. It was agreed that respondents No.4 and 5 would pay Rs.850/- per thousand bricks to the detenues and were assured that they would not have any problem regarding the payment. However, the petitioner and the detenues found that the work of manufacturing raw bricks was not even started at the brick kiln. The detenues requested to respondent Nos.4 and 5 to let them go to their respective villages but they were detained and beaten up by respondents

No.4 and 5.

It is argued 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, respondent No.2 has to conduct enquiry as per Section 12 of the Bonded Labour System (Abolition) Act, 1976 by treating the representation given by the aggrieved person as complaint and to get the detenues released forthwith in case they are found to be bonded labour by private respondents.

Notice of motion to respondents No.1 to 3 only.

Mr. Rohit Ahuja, DAG, Punjab accepts notice on behalf of official respondents and submits that the official respondents will look into the matter and will take an appropriate decision. Let sufficient number of copies of the complete paper book be supplied to him during the course of day.

5. In view of the above, the instant petition is disposed of with a direction to respondent No.2 to treat the instant petition as representation/complaint made by the petitioner and conduct an enquiry as per Section 12 of the Bonded Labour System (Abolition) Act, 1976 and in case the detenues are found in illegal detention of private respondents, they be released forthwith.

**October 26, 2022**  
Pankaj\*

**(JAISHREE THAKUR)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No