

244.

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRWP-7283-2023 (O&M)
Date of decision: 31.07.2023

Chhote Lal

...Petitioner

VS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sarvesh Kumar Gupta, Advocate for the petitioner.
Mr. Mohit Thakur, AAG, Punjab.

ARUN MONGA, J. (ORAL)

The instant writ petition has been filed under Article 226 of Constitution of India seeking issuance of a writ in the nature of Habeas Corpus to appoint a Warrant Officer to visit the spot and in case the detenus mentioned in para 3, are found in illegal custody of respondents No.4 to 6, they be released forthwith.

2. On the last date of hearing i.e. 24.07.2023, following order was passed:-

“Notice of motion only to respondent No.1 to 3, at this stage.

On advance service, learned State counsel appears and accepts notice on behalf of respondents No.1 to 3.

Post it on 31.07.2023.

State House Officer concerned is directed to report with regard to averments of the petition whether detenus mentioned therein are working at the brick-kiln on their own volition or being kept in confinement against their wishes.”

3. Pursuant to aforesaid order, learned State counsel has tendered a copy of status report dated 31.07.2023 in the course of hearing, which is

taken on record. A copy thereof has been supplied to learned counsel for the petitioner. The relevant portion of the status report is reproduced as under:-

“ xxx xxx xxx xxx

4. *That it is humbly submitted that the answering deponent had got recorded the statement of Ravinder Kumar (respondent No.5) S/o Manohar R/o Maksoodan, Tehsil Lambua, District Sultanpur, (UP) wherein he stated that he is working as Munshi in Golden Udyog Simiti Cheema Khuddi and knows all the persons who are working in the Brick-Kiln. The petitioner Chhote Lal S/o Ram Aseare was doing the work of Kacha Brick to Pucca Brick Kiln and he received the three cheque of amount of Rs.3 lakh as full and final payment and after receiving the same he had gone to his village on 18.07.2023 and there is no any dispute of his labour. The persons as mentioned in para no.3 of the petition have not been found in illegal custody of respondent No.4 to 6 as the petitioner had received the full and final payment of his working and left the premises of Brick Kiln with their labour i.e. the persons mentioned in para no.3 of the petition. No one found in illegal confinement as alleged in the petition. However the parties had a dispute of money which was got solved by themselves mutually.”*

4. A perusal of report would reveal that no one is found in illegal confinement, as alleged in the petition.
5. In view of above, no further proceedings are required before this Court.
6. Present petition stands disposed of accordingly.

(ARUN MONGA)
JUDGE

31.07.2023

sanjeev

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No