

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

213

CRWP-9351-2022

Date of Decision: 15.02.2023

Arvind

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : None for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

The case has been called twice but no one is present to assist the Court on behalf of the petitioner.

I have perused the file and heard learned counsel appearing on behalf of the State of Punjab.

The petitioner has filed the instant petition before this Court for issuance of a writ in the nature of *Habeas Corpus* to search the *detenuess* mentioned in para 4 of the petition at the premises of respondent No. 4 Rajinder, owner of Brick Kiln, Marka Cheema, situated at village Bisi Gura, P.S. Chamkaur Sahib, District Ropar, where the *detenuess* were allegedly illegally confined by him.

Vide order dated 27.09.2022, the respondent No. 2-District Magistrate, Ropar, was directed to consider this petition as a complaint under the Bonded Labour System (Abolition) Act, 1976 and to take immediate action in accordance with law and to submit a status report before this Court.

In compliance of the said order, a status report by way of affidavit of District Magistrate, Rupnagar has been filed by the learned State counsel. As per the learned State counsel, in compliance of order dated 27.09.2022, the District Magistrate, Rupnagar directed the Sub Divisional Magistrate, Sri Chamkaur Sahib to look into the matter and to submit a detailed report in this regard. The Sub Divisional Magistrate Sri Chamkaur Sahib wrote a letter to Tehsildar, Sri Chamkaur Sahib, the DSP, Sri Chamkaur Sahib, the Labour Inspector Grade-2, Rupnagar, the District Food and Supply Officer, Sri Chamkaur Sahib and directed all the officers to remain present at the site on 07.10.2022. The team of officials lead by the Sub-Divisional Magistrate, Sri Chamkaur Sahib, visited the site and submitted a detailed report, which has been filed as Annexure R-1 with the reply.

During the inspection, Dinesh Mittal son of Rajinder Pal, owner of the brick kiln and other labourers were found present in the brick kiln and their statements were recorded. Neither the petitioner nor any *detenue* as mentioned in the petition was found at the spot and the team of officials observed that the petitioner Arvind and his family members had never come to said brick kiln. Even, the labourers were being paid their wages regularly and apparently, there was no restriction on the employment of the labourers as there was no restriction on the movement of the labourers as there was no boundary wall around the brick kiln. All endeavors were made to trace the addresses and

whereabouts of the petitioner and the *detenues* but the same could not be ascertained.

In view of the above submissions made by the learned State counsel, no further directions are required and, the instant petition, is accordingly, ordered to be dismissed.

15.02.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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