

**CRWP-2277-2024**  
**Date of decision: 11.03.2024**

**...PETITIONER**

## STATE OF HARYANA AND OTHERS

## ...RESPONDENTS

Present: Mr. Ravi Dangi, Advocate  
for the petitioner.

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**HARPREET SINGH BRAR J. (ORAL)**

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus for release of detainees as mentioned in para 4 of the petition, alleged to be detained illegally by respondent Nos.6 to 9.

2. Learned counsel for the petitioner contends that respondent Nos.6 to 9 had contacted detenues for working at their Brick Kiln for moulding *kacha* Bricks. The detenues started their work and till date, they have an outstanding amount of Rs.70,000/- towards respondent Nos.6 to 9. It is further contended that respondent Nos.6 to 9 have forcefully detained the detenues in their brick kiln and are being forced to work without payment of wages. The petitioner herein escaped from illegal detention of respondent Nos.6 to 9 on 10.03.2024 and made a complaint to respondent Nos.2 and 3-Deputy Commissioner and District Magistrate, Panipat, to get released the detenues from illegal detention of respondent Nos.6 to 9.

3. Learned counsel for the petitioner relies upon the judgment rendered by a Division Bench of this Court in ***LPA No.32 of 2013*** titled as

***Murti Vs. State of Punjab and Others*** decided on 11.01.2013, to contend that

as per the *ratio decidendi* culled out in the said judgment, respondent No.2-District Magistrate, Panipat has to conduct an enquiry as per Section 12 of the Bonded Labour System (Abolition) Act, 1976, by treating the representation submitted by the petitioner as a complaint and to get the detenues released forthwith in case they are found to be bonded labour, by private respondents but till date, no action has been taken by respondent Nos.2 and 3, on the representation of the petitioner herein.

4. Notice of motion.
5. Ms. Geeta Sharma, DAG, Haryana, who is present in Court, accepts notice on behalf of official respondents and submits that the official respondents will look into the matter and will take a decision on the representation of the petitioner. Let sufficient number of copies of the complete paper book be supplied to him during the course of day.
6. In view of the above, the instant petition is disposed of with a direction to respondent Nos.2 and 3, to treat the representation (Annexure P-1) made by the petitioner, as a complaint 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 respondent Nos.6 to 9, they be released forthwith.

March 11, 2024

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(HARPREET SINGH BRAR)  
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No