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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRWP-7209-2024

Date of Decision: 29.07.2024

Baljeet Singh

..... Petitioner

Versus

State of Haryana and Others

..... Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Vipin Kumar, Advocate  
for the petitioner.

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AMARJOT BHATTI, J.(oral)

Petitioner- Baljeet Singh has filed criminal writ petition under Articles 226/227 of Constitution of India read with Section 482 Cr.P.C. for issuance of writ in the nature of Habeas Corpus, directing respondents to get release detainee i.e, Jagtar Singh s/o Baljit Singh mentioned in para No. 4 of writ petition, alleging that he is in illegal and unlawful custody of respondent No. 5.

In the petition, there are allegations against respondent No. 5 for not giving wages to petitioner as well as his son i.e. detainee but provided ration and food only and it is further alleged that son of petitioner (detainee) along with other detainees (details not disclosed) are illegally and forcibly kept by respondent No. 5 in the premises of Brick Kiln for doing labour work.

The aforesaid allegations mentioned in the petition falls under the provisions of The Bonded Labour System (Abolition) Act, 1976 and as per Section 10 of the aforesaid Act, the State Government confers powers and imposes duty on a District Magistrate to ensure proper implementation

of the aforesaid Act. Section 12 of the aforesaid Act cast a duty on every

District Magistrate and every officer specified by him under Section 10 to inquire whether after the commencement of this Act any bonded labour system or any other form of forced labour is being enforced by or on behalf of any person resident within the local limits of his jurisdiction.

Considering the aforesaid provisions, it is the duty of District Magistrate, District Hisar, Haryana to look into the facts and allegations levelled by petitioner. Gainful reference can be made to the judgment of the Division Bench of this Court in **LPA No. 32 of 2013** titled “*Murti versus The State of Punjab and others*”.

In view of these facts and circumstances, present criminal writ petition is disposed of with the direction to District Magistrate, District Hisar, Haryana to treat this petition as complaint and to take immediate action in accordance with law within a period of one week from the date of receipt of certified copy of this order along with copy of writ petition.

(AMARJOT BHATTI)  
JUDGE

29.07.2024

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