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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDI-
GARH**

CRWP-7919-2024

Date of Decision: 14.08.2024

GURPREET SINGH

..... Petitioner

Versus

STATE OF PUNJAB AND ORS

..... Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI**Present:** Mr. Anupinder Singh Brar, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.(oral)

1. Petitioner- Gurpreet Singh has filed criminal writ petition under Article 226 of the Constitution of India for issuance of writ in the nature of Habeas Corpus for the release of detenues mentioned in para No.3 of writ petition alleging that they are in illegal and unlawful custody of respondent Nos.5 and 6.

2. In the petition, there are allegations against respondent No. 5 and 6 that they are paying nominal amount for meeting their daily needs of life instead of agreed rate of Rs.202/100 for kacha bricks besides accommodation facility as well as medical aid, etc. When the petitioner along with detainee requested to pay remaining wages the said respondents refused to pay and started threatening with dire consequences. It is further alleged that they are illegally and forcibly kept in the premises for doing the labour work.

3. 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.

4. Considering the aforesaid provisions, it is the duty of District Magistrate, Patiala, Punjab 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*”.

5. In view of these facts and circumstances, present criminal writ petition is disposed of with the direction to District Magistrate, Patiala, Punjab 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

14.08.2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No