



136

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

CRWP-9205-2024
Date of Decision: 19.09.2024

RAJ KUMAR Petitioner

Versus

STATE OF PUNJAB AND OTHERS Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Aditya Partap Singh, Advocate for the petitioner.
Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.(oral)

1. Petitioner- Raj Kumar 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.2 of writ petition alleging that they are in illegal and unlawful custody of respondent No.4.
2. In the petition, there are allegations against respondent No.4 that petitioner and detenues, in the month of August, 2024, had contacted for manufacturing kachha bricks at brick kiln at the rate of Rs.850/- per thousand bricks but till date work has not been started. Respondent No.4 is not allowing detenues to go Home or to work anywhere else. He is not making payment of their wages. 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, Jalandhar, 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, Jalandhar, Punjab to treat this petition as complaint and to take immediate action in accordance with law within a period of two weeks from the date of receipt of certified copy of this order along with copy of writ petition.

(AMARJOT BHATTI)
JUDGE

19.09.2024
snd

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