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

CRWP-9968-2024

Date of Decision: 15.10.2024

Satish

..... Petitioner

Versus

State of Haryana and Others

..... Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Aditya Partap Singh, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J.(oral)

Petitioner - Satish has filed criminal writ petition under Article 226 of Constitution of India for issuance of writ in the nature of Habeas Corpus, directing respondent Nos. 4 and 5 to get release detainees mentioned in para No. 2 of writ petition, alleging that they are in illegal and unlawful custody of respondent Nos. 4 and 5.

In the petition, there are allegations against respondent Nos. 4 and 5 that they have illegally and forcibly kept detainees mentioned in para No.2 of writ petition in the premises of Brick Kiln for doing labour work. Regarding this fact, representation dated 07.10.2024 (Annexure P-1) was given by petitioner to Deputy Commissioner, District Kurukshetra (Haryana) but no action has been taken.

Aforesaid allegations mentioned in present 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 aforesaid provisions, it is the duty of District Magistrate, District Kurukshetra, 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 direction to respondents No. 2 and 3 to consider representation of petitioner dated 07.10.2024 (Annexure P-1) with further direction to respondent No. 2 i.e. District Magistrate, District Kurukshetra, Haryana 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

15.10.2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No