

2024:PHHC:143721



129 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP-10668-2024
Date of decision: 05.11.2024

Bijendra KumarPetitioner

Versus

State of Haryana and othersRespondents

CORAM: HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Hardiyal Singh Batth, Advocate
for the petitioner.

Mr. Rupinder Singh Jhand, Addl. A.G. Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Bijendra Kumar has filed criminal writ petition under Article 226 of Constitution of India for issuance of writ in the nature of Habeas Corpus for release of detenue mentioned in para No. 4 and warrant officer may be appointed to locate detenue at premises of Brick Kiln Marka KBC, situated at Village Modhpur, Police Station Saha, District Ambala.

2. In the petition, there are allegations against respondent No. 4 for not giving wages to petitioner and co-workers. It is further alleged that detenue namely Amit son of Feru as mentioned in para No. 4 of petition is illegally and forcibly kept by respondent No. 4 in the premises of Brick Kiln for doing labour work.

3. The aforesaid allegations mentioned in 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

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, Ambala, 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*”.

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

(AMARJOT BHATTI)
JUDGE

05.11.2024
monika

- | | | |
|-------------------------------|---|---------|
| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |