



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

CRWP-10833-2024

Date of Decision: 11.11.2024

Atal Singh

..... 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)

Petitioner- Atal Singh has filed criminal writ petition under Article 226 of Constitution of India for issuance of writ in the nature of Habeas Corpus, directing respondents to get release detenues mentioned in para No. 2 of writ petition, alleging that they are in illegal and unlawful custody of respondents No. 4 & 5 by appointing a Warrant Officer.

In the petition, there are allegations against respondents No. 4 & 5 for not giving wages to petitioner as well as detenues and it is further alleged that detenues mentioned in para No.2 of petition are illegally and forcibly kept by respondents No. 4 & 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 Ludhiana, 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*”.

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

11.11.2024

Sunil Devi

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