



127

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

CRWP-33-2025

Date of Decision: 02.01.2025

FURKHAN

..... Petitioner

Versus

STATE OF HARYANA AND ORS

..... Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Jarnail Singh Saneta, Advocate for the petitioner.

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

AMARJOT BHATTI, J.(oral)

Petitioner- Furkhan 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 and their families mentioned in para No.6 of writ petition alleging that they are in illegal and unlawful custody of respondents No.2 to 4.

In the petition, there are allegations against respondent Nos. 2 to 4 for not giving them their wages which is due since December, 2024. It is further alleged that they are illegally and forcibly kept in the premises for doing the labour work without paying any wages and are only providing ration for their survival.

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, Hisar, 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 the direction to District Magistrate, Hisar, 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

02.01.2025
snd

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