



CRWP-2801-2026(O&M)

1

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

CRWP-2801-2026(O&M)

Date of decision: 12.03.2026

Ram Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondent

CORAM: HON'BLE MS JUSTICE MANDEEP PANNU

Present:- Mr. A.S.Gulati, Advocate for the petitioner

Mr. Sushil Bhardwaj, Addl. AG, Haryana

MANDEEP PANNU, J. (ORAL)

1. Present criminal writ petition has been filed under Article 226 of the Constitution of India praying for issuance of a writ in the nature of Habeas Corpus to get the detenues named in para No.4 of the petition released from illegal custody of respondent No.4.

2. This Court has perused the case file. In **LPA No. 32 of 2013 decided on 11.01.2013** titled as “**Murti versus The State of Punjab and others**”, Division Bench of this Court has observed as under:-

“It may be mentioned here that the allegations of the appellant in the writ petition are that the alleged detenues mentioned in para No.3 of the writ petition who are working as labourers at the brick kiln of respondent Nos.4 & 5 are being kept as bonded labourers. There can indeed be no doubt that if a labourer has been detained as bonded labour, it amounts to an offence under Sections 16 & 17 of the Bonded Labour (Abolition) Act, 1976. We, however, clarify that the aforesaid observation does not mean that the allegations levelled by the appellant have been accepted.”



Suffice it to observe that under the Act, the District Magistrate is under statutory obligation to hold a fact finding enquiry as and when a complaint alleging violation of the provisions of Bonded Labour (Abolition) Act, 1976 is received. Since the appellant in the instant case has specifically averred that the persons mentioned in para No.3 of the writ petition have been detained as bonded labourers, we allow this appeal and set aside / modify the order dated 9.1.2013 passed by the learned Single Judge to the extent that the petitioner's writ petition is disposed of with a direction to the District Magistrate, Sangrur, to treat this writ petition as a complaint under the 1976 Act and take immediate action in accordance with law, within a period of one week from the date of receiving a certified copy of this order along with a copy of the writ petition.”

3. Keeping in view the aforesaid observations of the Division Bench of this Court, present petition is disposed of with a direction to respondent No.2–District Magistrate, District Rohtak, to treat this petition as a complaint under the Bonded Labour System (Abolition) Act, 1976 and take immediate action in accordance with law, within a period of two weeks from the date of receipt of copy of this order alongwith a copy of the present petition. A copy of this order be supplied to learned State counsel and be also sent to respondent No.2–District Magistrate, District Rohtak, for compliance.

4. All the pending miscellaneous applications, if any, are also disposed of.

March 12, 2026
rekha

(MANDEEP PANNU)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No