



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

CRWP-2997-2026

Date of decision: 17.03.2026

PERVINDER

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Roshan Lal Saini, Advocate for the petitioner.

Mr. Surinderjit Singh Nahar, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. This petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *habeas corpus* for the release of detenues as mentioned in para 3 of the present petition.

2. It is a case of the petitioner that the detenues as shown in para no.3 of the present petition have been illegally detained by respondent No.4; the petitioner and other labourers (detenues) were hired by respondent No.4 to work at a brick kiln in February 2026; however, the private respondents paid only nominal amounts for daily needs, withholding the bulk of their wages; now the other labourers (detenues) have been held captive and are not being allowed to leave the premises, and are being forced to work without pay.

3. In a similar matter in LPA No.32 of 2013 titled "Murti vs The State of Punjab and others" following order was passed by the Division Bench of this Court:-

"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



labours. 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 Bounded 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 alongwith a copy of the writ petition.”

4. Keeping in view the averments of learned counsel for the parties, the present petition is disposed of with a direction to respondent Nos.2 & 3—Deputy Commissioner of Police-cum-District Magistrate, Sangrur, Punjab and Station House Officer, Police Station City Sangrur, District Sangrur, Punjab to look into the averments made in the application/representation dated 01.03.2026 (Annexure P-1) and to take action in accordance with law expeditiously, preferably within a period of two weeks from today.

March 17, 2026

manisha

**(SUBHAS MEHLA)
JUDGE**

- (i) Whether speaking/reasoned
- (ii) Whether reportable

Yes/No
Yes/No