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## Vir Bhan Vs State of Haryana and Others

## Criminal Writ Petition No. 2124 of 2010

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Nov. 16, 2010

**Acts Referred:** 

Bonded Labour System Abolition Act, 1976 â€" Section 12, 21#Constitution of India, 1950 â€"

Article 226

Hon'ble Judges: Nirmaljit Kaur, J

Bench: Single Bench

## **Judgement**

Nirmaljit Kaur, J.

This is a petition under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus

directing the Respondents to release the detenues, as mentioned in para 3 of the petition, as they have been illegally and forcibly detained by the

Respondents No. 4 to 7 as bounded labourers.

2. In para 3 of the petition, 15 persons are said to be illegally detained by Respondents No. 4 to 7, Marka Nain Brick Kiln, Police Station Uklana,

Kanno road, Village Nehla, District Fatehabad. As per Section 12 of the Bonded Labour System (Abolition) Act, 1976, necessary action can be

taken by the District Magistrate. Any offence committed under the said Act has to be tried by the Executive Magistrate as a Judicial Magistrate, as

per the provisions of Section 21 of the Bonded Labour System (Abolition) Crl. Writ Petition No. 2124 of 2010 2 Act, 1976.

3. The present petition is disposed of with a direction to the Petitioner to move a complaint before the District Magistrate/Executive Magistrate. In

case, the said complaint/representation is made, the concerned authority shall look into the matter and take appropriate measures or decide the

representation as per the requirement within 7 days of the filing of the complaint.

Disposed off accordingly.