

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-5783-2019 (O&M)
Date of Decision: 05.03.2019

Sanjay

--Petitioner

Versus

State of Haryana & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Neha Rana, Advocate for
Mr. Abhimanyu Singh, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J (Oral)

Petitioner herein is the unfortunate father of a rape victim.

Counsel submits that on the complaint made by the petitioner, FIR No.42 dated 20.3.2016 under sections 363, 366-A I.P.C and section 4 of POCSO Act, 2012 was registered at Police Station, Bawani Khera, District Bhiwani. After completion of investigation challan was filed and trial ensued against accused Paras Ali. The trial has culminated in a judgement of conviction dated 18.8.2018 passed by the learned Addl. Sessions Judge (Exclusive Court), Bhiwani against Paras Ali.

Instant writ petition has been filed for grant of compensation under the Haryana Victim Compensation Scheme, 2013 and as amended from time to time.

Counsel submits that representations dated 19.9.2018 (Annexure P-2) and 21.1.2019 (Annexure P-3) have been preferred to the District Legal Service Authority, Bhiwani/respondent no.3 and the State Legal Services Authority/respondent no.2 respectively but till date no compensation amount has been released. As per counsel, petitioner is entitled to be awarded a compensation amount of Rs.3 lakh under the Scheme.

Counsel makes a submission that she would be satisfied, if, the writ petition was to be disposed of with a direction to the authority concerned to take a final decision in the matter.

Prayer made by counsel is found to be just and reasonable.

Without opining on merits and without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the same with a direction to the competent authority under the Haryana Victim Compensation Scheme, 2013 (as amended in 2016) to examine the claim of the petitioner for grant of compensation as per provisions of the Scheme itself and to take a final decision on the representations dated 19.9.2018 (Annexure P-2) and 21.1.2019 (Annexure P-3) expeditiously and in any case within a period of two months from the date of receipt of a certified copy of this order.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

05.03.2019

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No