

CWP (PIL) No. 10977 of 2016 and connected matters

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

**CWP (PIL) No. 10977 of 2016
Date of decision: 17.07.2019**

Court on its own motion

Versus

State of Punjab

... Respondent

2)

CWP (PIL) No. 4659 of 2017

Court on its own motion

Versus

State of Punjab

... Respondent

3)

CWP (PIL) No. 9524 of 2017

Jagmohan Singh Bhatti

....Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: None for the petitioner (in CWP No.9524 of 2017).

Ms. Monica Chibber Sharma, Sr. DAG, Punjab.

CWP (PIL) No. 10977 of 2016 and connected matters

Ms. Madhu Dayal, Advocate,
for U.T. Chandigarh.

Mr. Deepak Balyan, Additional A.G. Haryana.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Dheeraj Jain, Sr. Counsel, Government of India,
for the respondent-Union of India.

KRISHNA MURARI, CHIEF JUSTICE (Oral)

These three writ petitions are in the nature of Public Interest Litigation, out of which two petitions, bearing **CWP (PIL) Nos. 10977 of 2016 & 4659 of 2017**, have been registered by the Court on its own motion, whereas **CWP (PIL) No.9524 of 2017** has been filed by an Advocate of this Court. The issue raised in all these petitions relate to the victims of acid attacks.

The States of Haryana and Punjab, and the U.T, Chandigarh were required to frame a Scheme for payment of compensation and to rehabilitate the victims of acid attacks. Subsequently, it was informed that there is already a Scheme in place in this regard framed by the State of Haryana. Consequently, State of Punjab and U.T. Chandigarh were required to formulate similar Scheme.

In compliance of the abovesaid order, status report has been filed by the State of Haryana in CWP (PIL) No. 9524 of 2017, wherein it is stated that there was already a Scheme known as ‘Haryana Victim Compensation Scheme, 2013’, under Section 357-A Cr.P.C., in place, which has been amended vide notification dated 27.10.2016, whereby minimum amount of compensation is fixed at par with the amount mentioned in Central Victim Compensation Funds. It is further stated that there is another

CWP (PIL) No. 10977 of 2016 and connected matters

3

Scheme known as 'Relief and Rehabilitation of Women Acid Victims', framed vide notification dated 02.5.2011, which contains the provisions for providing ad hoc relief, medical reimbursement, financial assistance and rehabilitation to the women acid attack victims. The said Scheme has further been amended vide notification dated 25.3.2016. It is also stated that vide notification dated 18.9.2014, State of Haryana amended the Punjab Poisons Possession and Sales Rules, 1966, as admissible to the State of Haryana, incorporating various provisions regulating the sale of acid.

In so far as the Union Territory, Chandigarh, is concerned, an affidavit has been filed, stating that vide notification dated 2.12.2013, a Scheme has been framed, known as Union Territory of Chandigarh Victim Assistance (Amendment) Scheme, 2013. The Scheme contains provisions for granting assistance, compensation and medical aid to the victims. It is further stated that relevant provisions regulating the sale and purchase of acid is also in place, vide notification dated 21.5.2015.

Thus, in so far as the State of Haryana and Union Territory, Chandigarh, are concerned, they have framed the Schemes and the same are in tune with the directions issued by Hon'ble the Apex Court in the case of **Laxmi Vs. Union of India and others, passed in Writ Petition (Cri) 129 of 2006, decided on 7.12.2015**. However, as regards State of Punjab, learned Sr. Deputy Advocate General, Punjab, submits that though the Scheme has already been framed, but the same has not been placed on record.

In view of the above and on the strength of the statement made by learned State counsel, appearing for the State of Punjab, we dispose of these petitions, as the same have served their purpose. There is no occasion

CWP (PIL) No. 10977 of 2016 and connected matters

or reason to continue these petitions any further on Board and the same stand disposed of. However, the State of Punjab shall file an affidavit of compliance along with a copy of the Scheme within two weeks, failing which, the matter shall stand revived in respect of State of Punjab, and be placed before us within two weeks thereafter.

Accordingly, the petitions stand disposed of.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

July 17, 2019

AK Sharma

Whether speaking / reasoned:
Whether Reportable:

YES
NO