

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

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CWP-10325-2017 (O&M)
Date of Decision: 31.01.2019

Paramjeet Kaur

--Petitioner

Versus

State of Punjab and others

--Respondents

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

Present:- Mr. Daman Dhir, Advocate for
Mr.Rohit Kumar, Advocate
for the petitioner.

Mr. Aman Sharma, Advocate as Amicus Curiae.

Mr. Sahil Sharma, DAG, Punjab.

TEJINDER SINGH DHINDSA.J.

Counsel for the parties have been heard.

Petitioner is stated to be a victim of rape. On the complaint made by the petitioner FIR No.0046 dated 28.02.2017 under Sections 376/451 IPC was registered against Balbir Singh son of Bahal Singh for tress-passing into the house of the petitioner and for raping her.

Instant writ petition has been filed praying for issuance of directions to the respondent/authority for providing financial help towards rehabilitation of the petitioner being a victim of rape under the provisions of the Scheduled Castes and Scheduled Tribes Act, 1989.

On a previous date of hearing i.e. 15.12.2018, Mr. Aman Sharma, learned amicus curiae had submitted that financial help towards rehabilitation cannot be granted to the petitioner under the provisions of the Scheduled Castes and Scheduled Tribes Act, 1989 in view of the fact that the accused as also the victim both belong to the scheduled category.

It was, however, contended that the petitioner may be financially

compensated under the Punjab Victim Compensation Scheme, 2017 and which had been issued vide Notification dated 30.11.2017 by the State of Punjab. Learned amicus curiae at that stage had sought time to place on record the relevant Notification.

During the course of hearing today, Mr.Aman Sharma, Advocate has drawn the attention of this Court to Annexure A-2 appended along with the written submissions filed by him and which is a Notification dated 30.11.2017 issued by the Government of India, Department of Home Affairs and Justice (Home-IV Branch). Vide Notification dated 30.11.2017, a scheme called the Punjab Victim Compensation Scheme, 2017 stands notified. Under the Scheme, an amount of Rs.3 lakhs towards compensation stand quantified for a rape victim.

At this stage, counsel for the petitioner seeks liberty to file an application under the Punjab Victim Compensation Scheme, 2017 to be granted the requisite compensation amount.

Prayer is allowed.

Writ petition is disposed of in terms of liberty prayed for.

It is further directed that in the eventuality of the petitioner approaching the competent authority for seeking compensation under the Punjab Victim Compensation Scheme, 2017, a final decision thereupon would be taken within a period of four weeks from the date of filing of the application.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

31.01.2019

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i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No