

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-12602-2017 (O&M)
Date of Decision: 07.05.2019

Sonu Kaur

--Petitioner

Versus

State of Punjab & others

--Respondents

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

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

Mr. Luvinder Sofat, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

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.76 dated 2.6.2016 under sections 376, 506 I.P.C was registered at Police Station, Nahianwala against accused Lakhwinder Singh @ Kala.

It has gone uncontroverted that in the trial that has ensued, Lakhwinder Singh @ Kala stands convicted.

Instant writ petition has been filed praying for issuance of directions to the respondent authorities 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 (herein after to be referred to as the 1989 Act).

Claim of the petitioner has been resisted by learned State counsel by submitting that financial help towards rehabilitation cannot be granted to the petitioner under the provisions of the 1989 Act in view of the fact that the accused as also victim both belong to the Scheduled Caste category.

Counsel for the petitioner, however, submits that vide notification dated 30.11.2017 issued by the Govt. of India, Department of Home Affairs and Justice, a Scheme called the Punjab Victim Compensation Scheme, 2017 stands notified. Under the Scheme an amount of Rs.3 lakh towards compensation stands 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.

Instant petition is disposed of in terms of granting liberty, as prayed for by counsel for the petitioner.

It is, however, 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/submission of the application.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

07.05.2019

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