

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 5114 of 2021**

Bhagwat Prasad Patre S/o Shri Bedram Patre Aged About 33 Years R/o Village Janglore, Police Station And Tahsil Palari, District Baloda Bazar - Bhatapara (C.G.) Through Guardian Of The Victim Of Crime No. 0244 / 2021 Of Police Station Palari, District Baloda Bazar Bhatapara Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Home (Police) Department, Mantralaya Mahanadi Bhawan, Atal Nagar New Raipur District Raipur Chhattisgarh
2. Chhattisgarh State Legal Services Authority Through Secretary, Raipur, District Raipur Chhattisgarh
3. District Legal Aid Service, Balouda Bazar, District Balouda Bazar, Bhatapara Chhattisgarh
4. Superintendent Of Police, Baloda Bazar, Bhatapara Chhattisgarh
5. Station House Officer, Police Station - Palari, District Balouda Bazar - Bhatapara Chhattisgarh

----Respondents

For Petitioner	:	Mr. Yogesh Chandra, Advocate
For State	:	Ms. Priyamvada Singh, Deputy G.A.

Hon'ble Mr. Justice P. Sam Koshy**Order on Board****13/12/2021**

1. The defaults pointed out by the Registry stands ignored and with the consent of the parties the matter was heard and disposed of.
2. The present writ petition has been filed assailing the order Annexure P/1 dated 30.09.2021 whereby the claim of the petitioner for interim compensation in terms of '**the Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes, 2018**' has been dismissed.

3. The claim application in the present writ petition has been filed by the petitioner before the respondent No.3 seeking for an interim compensation under the aforementioned scheme of 2018. The claim application has been filed on the ground that the petitioner has been subjected to sexual harassment on 26.05.2021 at around 8 p.m. by the two accused persons. An offence has already been registered as Crime No. 0244/2021 for the offences punishable under Sections 354 & 341 of Indian Penal Code read with Section 8 of the Protection of Children from the Sexual Offences Act, 2012.
4. The respondent No.3 after due consideration of the application disposed of the same stating that no case for grant of interim relief has been made out. Further, the claim of the petitioner for compensation under the scheme of 2018 shall still be considered after the finalization of the trial, which is under way before the trial Court, where the accused are subjected to trial for the offences they are charged with.
5. This Court on perusal of the impugned order and also taking into consideration the facts and circumstances and the nature of offence and also the discussion made by the Secretary, District Legal Services Authority vide his impugned judgment does not find any illegality or perversity in reaching to the said conclusion. It is also not a case where the Authority below has rejected the claim of the petitioner totally. The Authority has observed that claim for compensation of the petitioner can still be considered after the conclusion of the trial.

6. Given the aforesaid facts and circumstances of the case, this Court does not find any strong case made out calling for any interference with the impugned award. The writ petition thus being devoid of merits, deserves to be and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved