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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 11130/2021 & CM APPL. 34282/2021**

MS. RIWADAHUN STEN

.....Petitioner

Through: Dr. Alana Golmei, Mr. Samuel
Khobung and Mr. Jianbina
Malangmei, Advocates.

versus

GOVERNMENT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Anuj Aggarwal, ASC with Mr.
Yash Upadhyay and Mr. Siddhant
Dutt, Advocates for R-1, 2 & 4.
Mr. B. Badrinath and Mr. Dhruv
Bhardwaj, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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04.10.2024

W.P.(C) 11130/2021 & CM APPL. 34282/2021 (for interim relief)

1. The Petitioner seeks compensation under Delhi Victim's Compensation Scheme, 2018.¹ The said request was considered by the District Victim Compensation Committee, DSLA (South), Saket Courts, New Delhi, who have after taking note of facts of the case, awarded compensation of INR 1,75,000/- as interim compensation to the victim. This

¹ "the Scheme"



interim compensation has been disbursed in terms of Rule 12 of Part II of the Scheme,² as interim measure, which is specified to be not less than 25% of the maximum compensation awardable as per corresponding entry in Schedule 2 to Part II.

2. The reason for awarding only interim compensation is based on the minutes of meeting dated 14th July, 2022 of the District Victim Compensation Committee, DLSA (South), Saket Courts, Delhi, who made the following recommendation:

*“The Committee considered the facts of the case and perused the record including the report of the IO. IO was present before the Committee and submitted that the victim has been undergoing treatment for HIV from 13.11.2019, which is prior to the alleged commission of offence. At the present stage, matter is still pending examination of the victim before the Ld. concerned court and so far, she has only partly been examined- in-chief. On perusal of the chargesheet, it is seen that there are different versions of the prosecutrix as opposed to what is projected in the present applications. However, the testimony of the prosecutrix is yet to be concluded in the court. The examination-in-chief of the prosecutrix, available from the police file has been perused, as per which the prosecutrix has stated that she has been raped repeatedly. It is important to mention Marno documents towards medical expenditure have been ted by the prosecutrix in support of the application. However, keeping in view the gravity of offence, to address the psychological trauma suffered by the victim and the requirement of rehabilitation, **the Committee unanimously recommends, award of an amount of Rs. 1,75,000/- as interim compensation to the victim Ms. “R S” under Entry No. 3 of the schedule of part II of the scheme, subject to the rules of disbursement in terms of Rule 12 of Part 2 of the Delhi Victim Compensation Scheme of 2018, as interim compensation granted shall not be less than 25 percent of the maximum compensation awardable as per corresponding entry in schedule to part II.**”*

3. Petitioner seeks the enhancement of the interim compensation at this stage. However, considering the aforesaid, the Court finds no reason to give direction for enhancement of interim compensation. Further compensation to

² Titled as “*Compensation scheme for Women Victims/Survivors of Sexual Assault/other crimes*”



be awarded, if any, shall be considered by the Trial Court, after the conclusion of trial.

4. In view of the above, no further directions are required to be passed at this stage.

5. Accordingly, the present petition is disposed of, along with pending application.

SANJEEV NARULA, J

OCTOBER 4, 2024

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