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

+ **W.P.(CRL) 3188/2023**

**SUNITA**

.....Petitioner

Through: Mr. Ravi Joshi, Mr. Deepak Joshi and  
Mr. Nakul Chauhan, Advocates.

versus

**STATE OF GOVT. OF NCT OF DELHI & ORS.** .....Respondents

Through: Mr. Sanjeev Bhandari, ASC for State  
with Mr. Arjit Sharma and Ms. Sakshi  
Jha, Advocates.  
SI Sandeep, PS-Aman Vihar.  
ASI Paras Ram.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**

% **16.09.2025**

1. The Petitioner alleges that his minor son, Arun, who had been studying in class 11<sup>th</sup> at Sarvodaya Bal Vidyalaya, Sector 20, Rohini was assaulted by his schoolmates as a result of which, he suffered grievous stab injuries. The grievance of the Petitioner is that the Investigating Officer<sup>1</sup>/Respondent No. 3 failed to file the PIR/chargesheet within the stipulated period provided under Rule 10(6) of JJ Model Rules and as a result, the accused was released from the case by the Juvenile Justice Board *vide* order 16<sup>th</sup> March, 2023.

2. Considering the above, the present petition is filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal



Procedure, 1973 seeking the following prayers:

- “(a) Directing the respondent no. 1 to initiate proper action against respondent no. 2 and 3 for their dereliction of duty thereby resulting in discharge of the perpetrators without facing trial.*  
*(b) Directing the respondents to pay damages to the tune of Rs. 50,00,000/- in favour of the minor son of the petitioner.*  
*(c) Pass such other order as this Hon'ble court deem fit and proper in the fact and circumstances of the case.”*

3. At the outset, counsel for the Petitioner, on instructions, states that he is not pressing prayer (a) of the petition. However, it is urged that the Respondent must pay damages/compensation to the Petitioner's minor son.

4. On this aspect, Mr. Sanjeev Bhandari, ASC for the State, apprises the Court of order dated 16<sup>th</sup> March, 2023, passed by the Juvenile Justice Board directing the Secretary, DLSA, North West, Rohini Courts to award compensation to the victim in accordance with law. He further refers to the judgment of the Supreme Court in **Ankush Shivaji Gaikwad v. State of Maharashtra**,<sup>2</sup> wherein it was held that courts must consider compensation under Section 357 Cr.P.C. based on the accused's capacity to pay, and under Section 357A Cr.P.C. may direct the State to provide compensation where the accused cannot adequately do so or where acquittal leaves the victim in need of rehabilitation.

5. Counsel for the Petitioner, submits that despite aforementioned directions, the victim has not received any compensation.

6. Considering the directions already issued by the Juvenile Justice Board and the principles laid down in **Ankush Shivaji Gaikwad**, and recognizing that the victim requires rehabilitation, this Court directs the

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<sup>1</sup> “IO”

<sup>2</sup> (2013) 6 SCC 770.



DLSA to forthwith examine the award of compensation to the victim, as directed by the Juvenile Justice Board, within four weeks from today.

7. In the event, the Petitioner is aggrieved by the award of the compensation, they shall be at liberty to take recourse to appropriate remedies in accordance with law. All rights and contentions of the victim is left open.

8. Accordingly, the petition is disposed of.

**SANJEEV NARULA, J**

**SEPTEMBER 16, 2025**

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