



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

250

LPA No.1010 of 2024 (O&M)

Date of Decision: 06.05.2026

KULDEEP KAUR AND ANOTHER

.....Appellants

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. C.S. Singhal, Advocate,
for the appellants.

Mr. Yatin Bungar, AAG, Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

CM-2443-LPA-2024

This is an application seeking condonation of delay of 98 days in filing the appeal.

For the reasons stated in the application, the same is allowed and delay of 98 days in filing the appeal is condoned.

Main Appeal

1. In the present appeal, the challenge is to the impugned order dated 25.09.2023 passed by the learned Single Judge, by which, a sum of Rs.5 lakhs as an interim compensation has been granted in favour of the appellants and for the entitled compensation, further liberty was given to take recourse of alternative remedies.

2. Learned counsel appearing on behalf of the appellants submits that in somewhat similar circumstances of the custodial death, a sum of Rs.12 lakhs was granted as compensation by the learned Single Judge while



deciding a petition i.e. *CWP-19349-2015* titled as ***Rekha Rani and another Versus State of Haryana and others, decided on 25.01.2018.*** Hence, the said judgment should also be considered even qua the appellants so as to give one-time lump sum compensation of Rs.12 lakhs. He further submits that relegating the appellants to the remedy before the Civil Court will cause further prejudice.

3. Learned State counsel has not been able to dispute the fact that in the case of ***Rekha Rani*** (supra) also, the facts were somewhat similar where a young person aged 29 years died in the custody of the State and had left behind a widow and a minor daughter and in the present case also, the deceased had left a young widow of 29 years along with a son aged 4½ years.

4. We have heard the learned counsel for the parties and have gone through the record with their able assistance.

5. Once, after appreciating the law, a lump sum compensation was granted, which was even upheld in the LPA preferred by the State, however, with a modification by granting interest @ 9% per annum as the payment was not made within a period of one month as was directed by the learned Single Judge, which is also being claimed by the appellants herein, coupled with the fact that learned counsel for the State has not been able to rebut the said principle of law, hence rather than relegating the appellants to claim entitled compensation before the appropriate forum, the prayer of lump sum compensation amounting to Rs.12 lakhs is accepted.

6. Accordingly, it is directed that the appellants shall be paid a lump sum compensation of Rs.12 lakhs, which shall be inclusive of Rs.5 lakhs interim compensation as has been awarded by the learned Single Judge and out of the said total amount, Rs.6 lakhs will be deposited in a fixed



deposit with a nationalized bank in the name of the minor son, which will remain in fixed deposit till the minor son attains the age of majority. However, in case of dire financial need and that too for the welfare of the minor, if any amount is required to be withdrawn, the same will only be qua the interest being generated from the said fixed deposit and that too after the permission of the competent Court of law.

7. It is further directed that in case the amount of compensation is not paid within a period of 08 weeks from today, an interest @ 6% per annum will be payable to the appellants accruing from the date of passing of this order.

8. In view of the aforementioned directions, the impugned order dated 25.09.2023 passed by the learned Single Judge stands modified in above stated terms.

9. The present appeal is disposed of in the aforesaid terms.

10. Civil miscellaneous application pending, if any, is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

06.05.2026
Sandeep

Whether Speaking/Reasoned : Yes
Whether Reportable : No