



142 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-8005-2026 (O&M)

Date of Decision: 17.03.2026

XXX

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Ashish Nagar, Advocate for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent to grant and disburse her adequate compensation in terms of Section 396 of BNSS, 2023, Section 33(8) of Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act') read with Rules made thereunder and Punjab Victim Compensation Scheme, 2017.

2. The petitioner lodged FIR No.218 dated 26.08.2022 registered under Sections 363, 366(A) and 376 of IPC at Police Station Division 5, District Ludhiana against respondent No.4. The Investigating Agency filed police report and respondent No.4 faced trial. He has been convicted vide judgment dated 19.08.2025 passed by learned Additional Sessions Judge, Ludhiana. The Court has sentenced him to imprisonment of 20 years. The petitioner filed application dated 01.11.2025 before District Legal Services Authority, Ludhiana seeking compensation. The said application was followed by representation dated 12.01.2026.

3. Learned counsel representing the petitioner submits that trial Court has awarded compensation of Rs.1,00,000/- which is a meagre

amount. As per Section 33(8) of POCSO Act, the petitioner is entitled to compensation. The trial Court was supposed to recommend for compensation. Had trial Court recommended to District Legal Services Authority or State Legal Services Authority, the petitioner would have received higher compensation.

4. Learned State counsel submits that State Government has framed Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes, 2018 with respect to compensation payable to rape victims. Said scheme is not applicable to minor as minor victim is entitled to compensation under Section 33(8) of POCSO Act.

5. Heard the arguments and perused the record.

6. From the perusal of record, it is evident that learned Additional Sessions Judge, Ludhiana vide judgment dated 19.08.2025 has awarded sentence of 20 years to accused. The petitioner has been awarded compensation of Rs.1,00,000/-. The petitioner has not challenged said order. This Court while exercising writ jurisdiction cannot interfere with said order especially when said order is not under challenge. The petitioner has not pointed out any scheme framed by State Government which provides for compensation over and above the compensation granted by trial Court under Section 33(8) of POCSO Act.

7. In the backdrop, the petition stands ***disposed of*** with liberty to the petitioner to avail remedies as permissible by law.

8. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

17.03.2026
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No