



Received on	29.01.2026
Registered on	29.01.2026
Decided on	17.04.2026
Duration	Y. M. D.
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IN THE HON'BLE COURT OF ADDITIONAL SESSIONS JUDGE,
DISTRICT KHEDA AT KAPADWANJ.
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CRIMINAL MISCELLANEOUS APPLICATION NO.24 OF 2026

APPLICANT:

Manubhai Kalabhai Sidhva
Aged: 43 years, Occ. Retired Soldier
Residing at: Fagvel
Tal. Kathlal & Dist. Kheda

Versus

OPPONENT :

The State of Gujarat

Appearances:-

Mr. J. S. Rohit : Ld. Advocate for the applicant.
Mr. M. R. Patel : Ld. A. P. P. for the opponent/State.

Sub: Application under Section 396(4) of the Bharatiya Nagarik Suraksha Sanhita, 2023 for permission to withdraw compensation amount awarded under the Gujarat Victim Compensation Scheme, 2019 in Special POCSO Case No.20 of 2024.

ORDER BELOW EXH.1

- 1) The present application is filed by the applicant seeking permission to receive the compensation amount of Rs.4,00,000/- awarded to the victim Komalben under the provisions of the Gujarat Victim Compensation Scheme, 2019 in Special POCSO Case No.20 of 2024, decided by this Court on 31.01.2025.
- 2) The notice has been duly served upon the opponent. The Ld. A. P. P., Shri M. R. Patel, appeared for the State and in his oral argument, submitted to pass necessary order on the merits of the case.
- 3) It is the case of the applicant that the victim Komalben was the daughter of the applicant. As per the judgment delivered by this Court, the District Legal Services Authority, Kheda(Nadiad) was directed to pay compensation of Rs.4,00,000/- to the victim. It is further submitted that the said amount has been deposited in the bank account of the victim on 08.01.2026.
- 4) The applicant has further submitted that the victim Komalben expired on 04.07.2025 due to accidental circumstances prior to the deposit of the compensation amount and the death

certificate was received on 31.12.2025. Therefore, the applicant could not approach the concerned authority earlier.

- 5) It is submitted that the applicant is the father, natural guardian and legal heir of the deceased victim Komalben and therefore he is entitled to receive the said compensation amount.
- 6) The family members of the deceased victim have filed a consent pursis stating that they have no objection if the applicant is permitted to withdraw the compensation amount.
- 7) I have heard the learned Advocate for the applicant as well as learned A.P.P. for the State and have perused the record of the case.
- 8) Considering the facts of the case, the documents produced on record and the submission made by the applicant, it appears that the victim Komalben was the daughter of the applicant and she expired before the compensation amount could be utilized by her. Therefore, in the interest of justice, the applicant being the father and legal heir of the deceased victim is entitled to receive the said compensation amount. Hence, the following order is passed.

ORDER

- The present applicant is hereby allowed.
- The applicant, being the father and natural guardian of the deceased victim Komalben, is hereby permitted to receive

the compensation amount of Rs.4,00,000/- deposited in the bank account of the victim pursuant to the judgment and order dated 31.01.2025 passed in Special POCSO Case No.20 of 2024.

- The concerned bank shall release the said amount in favour of the applicant after due verification and completion of the necessary formalities.
- A copy of this order be sent to the District Legal Services Authority, Kheda at Nadiad.

Pronounced in the open Court on 17th April, 2026.

Date : 17.04.2026
Place: Kapadwanj.

(Kamleshkumar Somabhai Patel)
Additional Sessions Judge,
Kheda at Kapadwanj.
Code No.GJ00532