

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP (C) No. 1289/2026

Sandhya Devi & Anr. Petitioner/Appellant(s)

Through:- Mr. Ajay Kumar, Advocate

V/s

UT of J&K & Ors.Respondent(s)

Through:- Ms. Chetna Manhas, Assisting Counsel to
Mrs. Monika Kohli, Sr. AAG for R-1

CORAM: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER

08.05.2026

1. By this petition, petitioners herein are seeking a direction upon respondents to pay the adequate compensation to the petitioners in terms of the existing Jammu and Kashmir Victim Compensation Scheme, 2019 along with 12% interest.
2. It is stated by the learned counsel for the petitioners that in terms of order dated 10.10.2025, passed by Additional Sessions Judge, Udhampur, in case title "***State now UT through Police Station Panchari Versus Kewal Kumar***", an amount of Rs. 1500/- each has been ordered to be released in favour of the petitioners as compensation, operative portion, whereof is settled below.

"Therefore, in the given facts and circumstances and also while considering the age and the responsibilities of the convict and also voluntariness regarding his guilt and also in the considered view of this Court, the Imprisonment of 10 years shall serve the end of justice. Accordingly, it is ordered that for the commission of offence under Section 376 RPC, the convict Kewal Kumar shall undergo rigorous imprisonment for 10 years and fine of Rs. 30,000/-. It is also ordered that in default of payment of fine the convict shall undergo rigorous

imprisonment for six months. It is further ordered that out of fine amount if realized, the amount of Rs. 15,000/- each shall be paid to the prosecutrix/victims as compensation. This court is also satisfied that the aforesaid compensation is not adequate and therefore recommends that the compensation in terms of existing child victim compensation scheme, be granted to the victims/prosecutrix. It is evident from the record that convict was arrested on 21.04.2017 and continues to be in custody. The period of detention already undergone shall be set off from the sentence awarded to the convict. A copy of the judgment/order shall be forwarded to the chairman District Legal Services Committee Udhampur for the purpose of compensation. A copy of this order shall also be provided to the convict free of cost. File is accordingly disposed of and shall be consigned to records after its due compilation.”

3. Issue notice to the respondents, which is waived by Ms. Chetna Manhas, Advocate, appearing vice Mrs. Monika Kohli, Sr. AAG, on behalf of respondent No. 1. She seeks and is granted four weeks' time for filing reply, with an advance copy to the learned counsel for the other side.
4. Notice to respondent Nos. 3 to 4, returnable within four weeks. Requisite for service within one week.
5. List on **08.07.2026**.

(MOKSHA KHAJURIA KAZMI)
JUDGE

JAMMU
08.05.2026
Asif Tantray