



CWP-12336-2026

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

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CWP-12366-2026

Date of Decision: 23.04.2026

AXX

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Raj Kumar Rathore, Advocate for the petitioner
(Legal Aid counsel)

Mr. Ishan Kaushal, Assistant Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of judgment dated 12.11.2024 to the extent learned Judge, Special Court/Children Court, Rupnagar has awarded compensation of ₹50,000/-. She is further seeking direction to respondent to award compensation of ₹3,00,000 in terms of Punjab Victim Compensation Scheme, 2017.

2. The petitioner's mother lodged FIR No.94 dated 29.06.2020 under Sections 363, 366, 376 of Indian Penal Code, 1860 and Section 6 of Protection of Children from Sexual Offences Act, 2012 (for short '**POCSO Act**') at Police Station Sri Anandpur Sahib, District Rupnagar against unknown persons. The Investigating Agency filed police report against respondent No.4 and he faced trial. He has been convicted vide judgment dated 12.11.2024 passed by learned Judge, Special Court/Children Court, Rupnagar. The Court has sentenced him to rigorous imprisonment of 20 years and imposed a fine of ₹10,000/-. It has awarded compensation of

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₹50,000/-. The petitioner claims that as per Punjab Victim Compensation Scheme, 2017, she is entitled to compensation of ₹ 3,00,000/-. Punjab State Legal Services Authority vide reply to legal notice dated 07.02.2026 has observed that present case falls under Section 33(8) of POCSO Act and the Authority does not have jurisdiction to enhance compensation awarded by learned Special Court.

3. On being confronted with the fact that judgment passed by learned Special Court under POCSO Act can be challenged in terms of provisions of BNSS, learned counsel for the petitioner expressed his inability to controvert said fact.

4. In the backdrop, the petition stands disposed of with liberty to petitioner to avail remedies *qua* impugned order in accordance with law.

(JAGMOHAN BANSAL)
JUDGE

23.04.2026
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No