ITEM NO.35 COURT NO.5 SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 989/2025

JYOTI PRAVEEN KHANDPASOLE Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

FOR ADMISSION
IA No. 262712/2025 - EXEMPTION FROM FILING O.T.

Date : 03-11-2025 This matter was called on for hearing today.

CORAM :
HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) :Mr. Gaurav Kumar Bansal, Adv.
Mr. Vishnu Kumar Gupta, Adv.
Ms. Nandita Bansal, Adv.
Mr. Aathrva Upadhaya, Adv.
Ms. Chandrika Upadhaya, Adv.
Ms. Rani Mishra, AOR

For Respondent(s) : Ms. Rashmi Nandakumar, AOR
Ms. Yashmita Pandey, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Issue notice to the respondents. However, service of notice on respondent No.1/Union of India is dispensed with for the present.

Ms. Rashmi Nandakumar, learned counsel, who is present in the Court, accepts notice for respondent no.2.

We find that one of the impediments in disbursement of victim compensation to the victims is the absence of a direction being issued by the Special Courts/Session Courts to pay compensation to the victims of a crime. Consequently, the victims have to seek such compensation on their own, either by

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Digitally signed by NEETU SACHDEVA
Date: 2025.11.07 11:13:16 IST
Reason:

contd..

making an application to the State Legal Services Authority or by any other means known to law. There is also an absence of awareness in this regard.

In the circumstances, we direct that the concerned Special Court/Session Courts ought to pass appropriate directions with regard to payment of victim compensation in appropriate cases, so that the implementation of the said directions of the concerned Special Court/Session Courts could be easily made by the State Legal Services Authority through the District Legal Services Authority or the Taluk Legal Services Authority, as the case may be.

Hence, a copy of this order shall be dispatched by the Registry of this Court to the Registrar Generals of all the High Courts for onward transmission to Principal District Judges for communication to the concerned Special Courts.

Further, the Registrar Generals of all the High Courts shall communicate this order to the Directors of all the State Judicial Academies for onward communication to all Principal District Judges that the Special Courts/Session Courts and also to impress upon concerned Special Court Judges with regard to the aspect of payment of victim compensation during the course of their training in the State Judicial Academies in accordance with Section 357A of the CrPC, corresponding to Section 396 of the BNSS and POCSO Act and Rules.

(NEETU SACHDEVA)
ASTT. REGISTRAR-CUM-PS

(DIVYA BABBAR)
COURT MASTER (NSH)