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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 16317/2024

MS. R

.....Petitioner

Through: Ms. Sija Nair Pal, Advocate

versus

GOVERNMENT OF NCT OF DELHI & ORS.Respondents

Through: Ms. Mehak Nakra, ASC for GNCTD
with Ms. Gunjan Suyal, Mr. Aditya
Goyal, Advocates for R-1 & R-2
Mr. Hemant Mehta, LCPO, DWCD
for R-2

Ms. Pratima N. Lakra, CGSC with
Ms. Pinky Panwar, GP and Mr.
Chandan, Advocate for R-3

Mr. Himanshu Anand Gupta, Mr.
Anvesh Verma, Mr. Shekhar Anand
Gupta, Ms. Navneet Kaur, Mr.
Sidharth, Advocates for R-5/DLSA

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **26.11.2024**

CM APPL. 68763/2024 (Exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Applicant shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

CM APPL. 68762/2024 (for masking the name and other details of the Petitioner)

4. Considering the facts of the present case and the nature of issues involved, it is directed that the Petitioner's name and associated details shall



not be disclosed to the public. The Registry shall reflect the cause title as “*Ms. ‘R’ v. GOVERNMENT OF NCT OF DELHI & ORS.*”.

5. The present application is allowed and disposed of accordingly.

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6. The present petition deals with an unfortunate case in which the Petitioner was subjected to sexual assault, leading her to contract HIV as a result of the said offence. In such exceptional circumstances, she is not only deprived of opportunities and burdened with overwhelming medical expenses that her family cannot afford, but also enduring severe physical and mental trauma caused by the assault. In this regard, an FIR bearing No. 660/17 dated 31st December, 2017 was registered with PS Karawal Nagar under Sections 363, 366/ 34 and 376D of the Indian Penal Code, 1860 along with Sections 6 and 17 of the Protection of Women from Sexual Harassment Act, 2013.

7. The Petitioner has now approached this Court seeking directions to the Respondents to provide her enhanced compensation. The Petitioner acknowledges that an amount of INR 1,75,000/- has been provided to her as an interim direction of the Delhi State Legal Services Authority under the Delhi Victim Compensation Scheme, 2018¹. Further, during the course of proceedings, counsel representing Respondent No. 4 has informed that an additional interim compensation of INR 1,00,000/- has been provided to the Petitioner on 11th November, 2024, in terms of the order of the Trial Court dated 01st March, 2023.

8. The Petitioner states that although the proceedings pertaining to FIR No. 660/17 before the Trial Court, have advanced to the stage of final

¹ “Victim Compensation Scheme”



arguments, however, no progress has been made in these proceedings for the past year. The Petitioner, therefore, states that the interim compensation granted to her should be further enhanced.

9. Additionally, the Petitioner points out that the schedules under the Victim Compensation Scheme do not stipulate any provision for award of compensation specifically with respect to a victim contracting an STD or HIV as a result of the assault.

10. Issue notice. Counsel representing Respondents mentioned above accept notice. Counter affidavit be filed within a period of two weeks from today. Rejoinder thereto, if any, be filed within a period of two weeks thereafter.

11. Re-notify on 7th January, 2025.

SANJEEV NARULA, J

NOVEMBER 26, 2024/ab