

Rosy Vs. Pradeep Sharma and Another

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SooperKanoon Citation : sooperkanoon.com/1121830

Court : Punjab and Haryana

Decided On : Jan-10-2014

Appellant : Rosy

Respondent : Pradeep Sharma and Another

Judgement :

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl.A.No.D-577-DB of 2013 (O&M) DATE OF DECISION : 10.01.2014 Rosy ...APPELLANT Versus Pradeep Sharma and anotherRESPONDENTS CORAM :- HON'BLE Mr.JUSTICE SATISH KUMAR MITTAL HON'BLE Mr.JUSTICE KULDIP SINGH Present: Mr.S.S.Narula, Advocate, for the appellant.

Ms.Tanu Bedi, Advocate, for respondent No.1.

Ms.Shalini Attri, DAG, Haryana, for respondent No.2-State.

*** SATISH KUMAR MITTAL , J.

(Oral) This appeal has been filed by the victim of rape, making two fold grouse; firstly that acquittal of accused Pradeep Sharma (respondent No.1 herein) of the offence under Section 417 IPC is illegal; and secondly that the appellant being victim of the offence is entitled for grant of compensation.

This appeal is barred by limitation.

Hence, an application (Crl.

Misc.

No.29886 of 2013) for condonation of delay has been filed.

During the couRs.of arguments, learned counsel for the Dass Narotam 2014.01.14 14:22 I attest to the accuracy and integrity of this document Crl.A.No.D-577-DB of 2013 (O&M) -2- appellant emphasises on providing hearing to the appellant-victim in Crl.A.No.S-217-SB of 2013 filed by accused-respondent No.1 against his conviction under Sections 376, 495 and 506 IPC.

The said appeal is pending in this court.

Learned counsel also prays for compensation to the appellant- victim.

During the couRs.of hearing, learned counsel prays that the appellant-victim may be permitted to withdraw this appeal with liberty to address arguments in the aforesaid appeal filed by accused-respondent No.1, and to move an application before the Haryana Legal Services Authority for grant of compensation under the State's Victim Compensation Scheme.

Dismissed as withdrawn with the aforesaid liberty.

However, as and when Crl.A.No.S-217-SB of 2013 filed by accused-respondent No.1 is taken up for regular hearing, the Registry shall give a notice of hearing to the appellant-victim.

Further, it will be open to the appellant-victim to move an application before the Secretary, District Legal Services Authority, praying for grant of compensation under the Victim Compensation Scheme, and if any such application is filed, the same is directed to be decided expeditiously, in accordance with law.

(SATISH KUMAR MITTAL) JUDGE January 10, 2014 (KULDIP SINGH) ndj
JUDGE Dass Narotam 2014.01.14 14:22 I attest to the accuracy and integrity of this document