

HIGH COURT OF JUDICATURE AT PATNA

Memo No. 94938 /A.D. (Rules)

Dated, Patna the 15th October, 2026

CIRCULAR ORDER NO. 03/2026

Subject: Judgment dated 29.05.2026 passed by the Hon'ble Supreme Court of India in Miscellaneous Application No. 530 of 2022 in Writ Petition (Civil) No. 56 of 2004 (Prajwala versus Union of India and Others).

The Hon'ble Supreme Court of India in its judgment dated **29.05.2026** passed in **Miscellaneous Application No. 530 of 2022 in Writ Petition (Civil) No. 56 of 2004 (Prajwala versus Union of India and Others)**, has, inter alia, issued directions under the "Victim Protection Plan" concerning prosecution and trial of offences relating to trafficking for commercial sexual exploitation. In paragraph 362(g)(iv) of the judgment, the Hon'ble Supreme Court has specifically directed as follows:—

“All the High Courts shall ensure the effective implementation of Section 395, BNSS i.e., Order to pay compensation, by all trial courts under their jurisdiction, giving particular regard to subsections 395(1)(b) and 395(3), BNSS respectively.”

In view of the aforesaid direction of the Hon'ble Supreme Court, all the Principal District and Sessions Judges are hereby directed to ensure effective implementation of Section 395 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by all the trial courts under their respective jurisdiction, with particular attention to the requirements contained in Sections 395(1)(b) and 395(3) of the BNSS.

The Principal District and Sessions Judges shall accordingly bring the aforesaid direction of the Hon'ble Supreme Court to the notice of all the judicial officers presiding over the trial courts under their respective judgeships and shall ensure that the provisions of Section 395 BNSS are duly considered and implemented in appropriate cases, in accordance with law.

The Trial Courts shall ensure that the requirement of passing appropriate orders relating to compensation under Section 395 BNSS is not overlooked in cases where the provision is attracted, particularly having regard to the specific emphasis placed by the Hon'ble Supreme Court upon Sections 395(1)(b) and 395(3) BNSS.

The Principal District and Sessions Judges are directed to monitor compliance with the aforesaid direction at the administrative level and to ensure that the direction of the Hon'ble Supreme Court is effectively implemented by the trial courts under their respective jurisdiction.

The matter relating to effective implementation of Section 395 BNSS, particularly Sections 395(1)(b) and 395(3) thereof, shall also be specifically included in the agenda of the meeting of District Criminal Injury Compensation Board, and the compliance/ implementation thereof by the trial courts under the respective judgeship shall be reviewed in the said meeting.

The aforementioned instructions shall be followed scrupulously henceforth by all concerned and its non-compliance shall be viewed seriously.

(IX-08-2026)

Adm. (Rules) Dept.

By order of the Court



Registrar General

Memo No. 94939 - 94978 /AD (Rules) Dated, Patna the 15th October, 2026

Copy forwarded to:-

- 1. The Secretary General, Supreme Court of India, New Delhi;**
- 2. All the Principal District & Sessions Judges of Bihar to circulate this circular order amongst all the Trial Courts in their respective Judgeships for its strict compliance;**
- 3. The Director, Bihar Judicial Academy, Gaighat, Patna;**
- 4. The Member Secretary, Bihar State Legal Services Authority, Patna;**

for information and necessary action.



Registrar General

Memo No. 94979 /AD (Rules) Dated, Patna the 15th October, 2026

Copy forwarded to the Deputy Registrar (IT) for uploading it on the official website of the Court for information to all concerned.



Registrar General