

(2022) 03 MP CK 0013
In the Madhya Pradesh High Court
Case No : Writ Petition No. 5279 Of 2022

Victim X (Minor)	Vs	APPELLANT
State Of Madhya Pradesh And Others		RESPONDENT

Date of Decision : 07-03-2022

Acts Referred:

Medical Termination Of Pregnancy (Amendment Act), 2021 — Section 3

Citation : (2022) 03 MP CK 0013

Hon'ble Judges : Subodh Abhyankar, J

Bench : Single Bench

Advocate : Archana Gosar, Vishal Sanothiy

Final Decision : Allowed

Judgement

Subodh Abhyankar, J

This petition has been filed under the provisions of Medical Termination of Pregnancy Act, 1971 for termination of the pregnancy of the petitioner, a rape victim.

On the last date of hearing i.e., on 03.03.2022 the medical report of the prosecutrix/petitioner was requisitioned from the M. Y. Hospital, Indore, and today Shri Vishal Sanothiya, Government Advocate for the State has informed that as per the report which has been received by him, the pregnancy is of 15 weeks and as per the experts the pregnancy can be terminated.

In view of the same, since under Section 3 of Medical Termination of Pregnancy (Amendment Act), 2021, now the pregnancy can be terminated within 24 weeks, this Court finds it expedient to dispose of this petition with a direction to the HOD of the Obstetrics and Gynaecology Department of M.G.M. Medical College and M. Y. Hospital, Indore to terminate the pregnancy of petitioner after general and systematic examination in accordance with law.

Accordingly, it is directed that the petitioner along with her legal guardian shall

approach the HOD of the Gynaecology Department of MY Hospital, Indore on 9th of March, 2022 where Senior Doctors having experience in the field shall carry out the termination of pregnancy of petitioner after general and systematic examination, in accordance with law. Let the DNA sample of the foetus be preserved.

Needless to say that all the expenses incurred in this behalf shall be borne by the M.P. State Government only.

Let a copy of this order be furnished to the M.G.M. Medical College, Indore/ Superintendent, M.Y. Hospital, Indore.

Shri Vishal Sanothiya, learned counsel for the State is also requested to ensure that the aforesaid procedure be conducted without any further difficulty to the petitioner.

With the aforesaid, writ petition No.5279/2022 stands allowed and disposed of.

C. c. as per rules.