

The High Court Of Madhya Pradesh

WP No. 25361 of 2021

(VICTIM A MINOR GIRL THROUGH HER FATHER F Vs THE STATE OF MADHYA PRADESH AND OTHERS)

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Jabalpur, Dated : 24-11-2021

Smt. Divyakeerti Bohre, counsel for the petitioner.

Smt. Arti Dwivedi, Panel Lawyer for the respondents-State.

This petition has been filed by the victim/minor girl through her father seeking direction/permission from this Court to get her pregnancy terminated. The minor girl is a victim of rape.

As directed by this Court on 18.11.2021, a report of specialist doctors dated 23.11.2021 has been received by the learned counsel for the respondents-State.

Learned counsel for the respondent-State informs that as per the report, at this stage the pregnancy cannot be terminated because it would be dangerous to life of the minor girl. She submits that it is also opined in the report that as per the provision of MTP amendment Act, 2021 permission for termination of pregnancy can be granted when life of the fetus is less than 24 weeks whereas in the present case the life of the fetus is assessed 29 weeks 4 days and that period is more than the period prescribed under the Act.

Considering the arguments put-forth by the learned counsel for both the sides and the report of the specialist doctors as well as the provisions of the Act, permission for termination of pregnancy cannot be granted to a minor girl. However, it is directed that the minor girl can visit the doctor of Gandhi Medical College, Bhopal and if she visits the concerned doctors, they shall arrange a proper counselling for the minor girl and also give appropriate advise. It is further directed that if minor girl gives birth to a child, the all expenses of the said delivery shall be borne by the State Government and she shall be provided a proper assistance by the doctors.

With the aforesaid, **this petition stands disposed of.**

Certified copy today.

RAGHVENDRA

