



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 30TH DAY OF DECEMBER, 2025
BEFORE
THE HON'BLE MR. JUSTICE R.NATARAJ
WRIT PETITION NO. 110142 OF 2025 (GM-RES)

BETWEEN:

RANGARAJ B
AGE. 47 YEARS, OCC. WATERMAN,
R/O TELIGI THIMALAPURA, TQ. HARAPANAHALLI,
DIST. VIJAYANAGAR-583239.

...PETITIONER

(BY SRI. RAGHAVENDRA A. PUROHIT, ADVOCATE FOR
PETITIONER)

AND:

1. THE STATE OF KARNATAKA,
BY ITS SECRETARY,
DEPT. OF HEALTH AND FAMILY WELFARE,
M.S. BUILDING, BANGALORE-01.
2. THE SURGEON,
THE GOVT. PUBLIC HOSPITAL, HOSAPETE,
DIST. VIJAYNAGAR-583239.
3. THE OFFICE OF THE SPECIALIST
DOCTOR/SUPERINTENDENT
MOTHER CHILD HOSPITAL (MCH)
HOSAPETE, DIST. VIJAYNAGAR-583201.
4. THE PRESIDENT,
CHILD WELFARE COMMITTEE,
C/O CHILDREN'S HOME FOR BOYS,
BEHIND, NCC GROUND, CANTONMENT,
BALLARI, DIST. BALLARI-583239.

...RESPONDENTS

(BY SMT. KIRTILATA R. PATIL, HCGP FOR RESPONDENTS)



THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT IN THE NATURE OF MANDAMUS PERMITTING THE PETITIONER TERMINATE ONGOING PREGNANCY OF HIS MINOR DAUGHTER THROUGH RESPONDENT NO.2 OR BY A REGISTERED MEDICAL PRACTITIONER ANY APPROVED PRIVATE OR GOVERNMENT CENTER OR HOSPITAL IN THE INTEREST OF JUSTICE AND EQUITY & ETC.

THIS WRIT PETITION COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: THE HON'BLE MR. JUSTICE R.NATARAJ

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE R.NATARAJ)

The petitioner has sought for a writ in the nature of mandamus directing the respondent No.2 to permit his minor daughter to undergo termination of her pregnancy.

2. The petitioner claims that his daughter was a victim of an offence punishable under Section 64(2) (m) of the Bharatiya Nyaya Sanhita (BNS) 2023 and Sections 4, 5J(ii), 5(L), and 6 of the POCSO Act, 2012. He claims that when his daughter was admitted to the hospital, he came to know that his daughter was pregnant and carrying a foetus, which was 26 weeks and 1 day old. Petitioner claims that his daughter is 17 years old and she is not interested to give birth to the child and therefore requested the respondent No.4 for termination of the pregnancy.



The respondent No.4 considering the request, sought an opinion from the respondent No.3. The respondent No.3 examined the girl and was of the opinion that the girl was carrying a 26 weeks and 1 day foetus and therefore it is necessary to obtain the order of the Court for termination of the pregnancy. The petitioner claims that the victim is a school going girl and she does not want to bear the child. He claims that in similar circumstances, this Court in W.P.No.107622 of 2025, W.P.No.105785 of 2025, W.P.No.107622 of 2025 and W.p.No.105785 of 2025 has permitted the medical termination of pregnancy of a wrecked victim.

3. The learned counsel for the petitioner reiterated the above contention and prayed that having regard to the age of the victim girl, she should be permitted to undergo termination of her pregnancy.

4. The learned AGA submits that the petitioner's daughter is indeed a victim of alleged rape and she is now carrying a 26 weeks 1 day old foetus. She therefore submits that if the petitioner's daughter is not interested to bear the child, this Court may exercise jurisdiction and permit her to terminate



the pregnancy. She does not deny the fact that in several cases, this Court has taken a view that in cases where minor girls are victims of sexual assault, they should be permitted to terminate the pregnancy even if it is beyond 24 weeks.

5. I have considered the submission made by the learned counsel of the petitioner and the learned AGA.

6. The fact that the daughter of the petitioner was a victim of a sexual assault is evident from Crime No.234 of 2025. The daughter of the petitioner is now carrying a foetus which is 26 weeks and 1 day old. If the petitioner's daughter is not willing to bear the child, having regard to the fact that she is a 17 years old girl, this Court should not hesitate to protect the honour and dignity of the girl. Now that the Committee has submitted a report that the girl is carrying a 26 weeks and 1 day old foetus, it is appropriate to permit the termination of the pregnancy by exercising the extraordinary jurisdiction vested in this Court. As a matter of fact, the Apex Court in the case of ***X v. The Principal Secretary, Health and Family Welfare Department, Government of NCT of Delhi (AIR 2022 SC 4917)*** had held that forcing a girl, who is a victim of sexual



assault to continue with her unwanted pregnancy, would violate her right to life and dignity. Therefore, the petition is ***allowed***.

7. Respondent No.2 is directed to permit the petitioner's daughter to terminate her pregnancy and for this purpose, the respondent No.2 and respondent No.3 shall take all necessary measures to ensure the safe termination of pregnancy of the petitioner's daughter.

**Sd/-
(R.NATARAJ)
JUDGE**

KGK, CT:VP
LIST NO.: 2 SL NO.: 3