

In the High Court of Punjab and Haryana at Chandigarh

CWP No.7114 of 2018 (O&M)

Date of decision: September 11, 2018

Usha Rani @ Usha Devi

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. J.S. Grewal, Advocate for the petitioner.
Mr. Navdeep Chhabra, Deputy Advocate General,
Punjab.
Mr. Amit Arora, Advocate for respondents No.4.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner had approached this Court for seeking a direction to respondents No.1 to 3 to terminate her pregnancy in terms of Section 3 of the Medical Termination of Pregnancy Act, 1971. She had alleged that she has been raped and having a pregnancy of 17 weeks. Some orders were passed from time to time including the order dated 27.04.2018 by which respondent No.4 was directed to deposit an amount of ₹5,000/- per month in the account of the petitioner.

Mr. Amit Arora, Advocate has put in appearance on behalf of respondent No.4 and submitted that respondent No.4 has been depositing the amount of ₹5,000/- in the account of the petitioner and offered ₹5,000/- in cash today also.

Learned counsel for the petitioner has submitted that the said amount may be deposited in the account of the petitioner. Learned counsel for the petitioner has further

submitted that with the passage of time this petition has become infructuous because the pregnancy of the petitioner could not be terminated on medical reasons and she has ultimately delivered a child (male) on 10.08.2018. The petitioner prayed that in terms of the order dated 27.04.2018, the custody of the child may be handed over to respondent No.4.

Respondent No.4, who is present in the Court along with his father has submitted through his Advocate that he is ready and willing to take the custody of the child and rather he is ready to accept the petitioner as his wife.

In this regard, learned counsel for the petitioner submits that the petitioner is not interested in going with respondent No.4 as his wife.

Be that as it may, since respondent No.4 is ready and willing to take the custody of the male child born to the petitioner and has also undertaken to deposit ₹5,000/- in the account of the petitioner, the present petition is hereby disposed of with these observations that respondent No.4 shall take the custody of the child within 15 days from the date of receipt of copy of this order and shall deposit ₹5000 as offered today.

(RAKESH KUMAR JAIN)

JUDGE

September 11, 2018

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Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No