

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.23 OF 2018

Association for aiding Justice .. Petitioners

Vs.

Union of India & Ors. .. Respondents

...

Mr. Dipesh Siroya for the Petitioners.

Ms. Anjali Helekar with Ms. Purnima Awasthi for Respondent No.1.

Mr. M.M. Pabale, A.G.P. for the State.

**CORAM: PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.**

DATED : 23rd AUGUST, 2019.

P.C:-

1. The Public Interest Litigation seeks direction to be issued to amend the existing Medical Termination of Pregnancy ("MTP") Act, 1971 and Pre Conception - Pre Natal Diagnostic Techniques ("PC-PNDT") Act so that the victims of rape, who unfortunately get pregnant, should be permitted to abort the foetus as per the desire of the lady.
2. Such a direction cannot be issued for the reason it endangers the life of the expectant mother, if the foetus is aborted after 24 weeks. Of

course, on case to case basis, the Courts have been granting necessary permissions based upon the opinion of the Medical Experts.

3. This has to be done, on case to case basis.

4. The Public Interest Litigation is dismissed.

(SMT. BHARATI DANGRE, J.)

(CHIEF JUSTICE)