

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION (CWP) NO. 509 OF 2019

(Vidya w/o Sunil Sakhare vs. State of Maharashtra thr. its Secretary, Health Department & Anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri M.V. Bute, Advocate for the petitioner.
Ms. T. Udeshi, APP for respondent Nos. 1 & 2.

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**CORAM : P.N. DESHMUKH &
PUSHPA V. GANEDIWALA, JJ.
JULY 01, 2019.**

The prayer in this petition is to direct the respondents to complete the procedure of termination of the petitioner's pregnancy.

Admittedly, the petitioner is a housewife. No medical certificate is filed with the petition to establish whether the petitioner's pregnancy can be terminated, which admittedly is of 36 weeks as on date.

The learned counsel for the petitioner submitted that in the month of March 2019, on undergoing Sonography test, doctor's report revealed that the baby is not normal and was accordingly provided medical treatment. However, it is the case of the petitioner that in spite of such efforts, baby is not normal and, therefore, she has approached this

Court for grant of permission to abort as the pregnancy is over 20 weeks and as such, doctors can not abort without leave of the High Court or Supreme Court.

In the absence of any medical certificate to the effect that the pregnancy, which is in the advanced stage of 36 weeks involved in the present petition, certifying if such pregnancy is in this manner likely to cause harm to the life of the petitioner, we are not inclined to entertain this petition nor any directions can be issued to the respondents to complete the procedure as prayed for.

Criminal Writ Petition is accordingly disposed of as dismissed.

JUDGE

JUDGE

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