

In virtual Court

CWP-12521-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-12521-2020 (O&M)
Date of decision: 02.09.2020

Neharika Sharma and another

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.K. Arora, Advocate
for the petitioners.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

Mr. Amit Jhanji, Advocate
for respondent No.4.

ARVIND SINGH SANGWAN, J. (ORAL)

In pursuance of the order dated 28.08.2020, the petitioner has appeared before the Board of Doctors on 31.08.2020.

Learned counsel for respondent No.2-PGI has produced the report of the Medical Board in a sealed cover in the Court today and the same is taken on record as Mark 'A'. The operative part of the report reads as under: -

"... Keeping in view the above, the Permanent Medical Board recommends that this patient may undergo medical termination of pregnancy at this stage due to severe congenital malformation in the fetus. We also wish to bring to the knowledge of the Hon'ble

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High Court that doctors may perform the procedure of Intra-cardiac Potassium Chloride injection under ultrasound guidance into the fetus before termination of pregnancy, so as to prevent the fetus being born alive. Also, the medical termination of pregnancy at an advanced gestation of 24 weeks carries more than the usual risks which have been explained to patient...”

Accordingly, this petition is allowed in terms of the report filed by the Medical Board and permission is granted to the petitioner to terminate the pregnancy.

Medical Superintendent, PGIMER, Chandigarh is directed to admit the petitioner within a period of next two days so as to carry out the procedure for medical termination of pregnancy.

Disposed of.

**[ARVIND SINGH SANGWAN]
JUDGE**

02.09.2020

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No