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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 1061/2020**

MEENA SHAH @ PRIYANKA

..... Petitioner

Through: Mr Pradeep Kumar Arya, Advocate.

versus

STATE GOVT. OF NCT OF DELHI & ANR. Respondents

Through: Ms Kamna Vohra, ASC for State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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24.07.2020

[Hearing held through video conferencing]

CRL.M.A. 9791/2020

1. Allowed, subject to all just exceptions.

CRL.M.A. 9790/2020

2. The petitioner has filed the present application, *inter alia*, praying that a Non Invasive Pre-Natal Paternity Test / D.N.A. Test of her fetus be done at the earliest.

3. This Court is informed that directions for conducting the test has been issued by the lower court, however, the said test had not been conducted.

4. The present petition was listed on 14.07.2020 and on that date a statement was made by the learned ASC that further steps for investigating the petitioner's complaint including conducting of a Paternity Test would be taken by the investigating agency.

5. The petitioner apprehends that if she is removed from the jurisdiction of this Court or taken to Haryana, the investigation would be impeded. She is apprehensive because according to her, the family members of the accused are very powerful and influential persons and the father of the accused was a Minister in the said State.
6. Ms Vohra, learned ASC appearing for the State submits that conducting a Paternity Test is not possible as the concerned doctors of All India Institute of Medical Sciences have opined that the same can be done only after the petitioner delivers the child. The petitioner disputes the same and insists that a non invasive test to generate the DNA profile of the fetus can be conducted.
7. Let a signed opinion from a concerned doctor to the effect that a Non Invasive Pre-Natal Paternity Test for ascertaining the DNA of a fetus cannot be done, be placed on record before the next date of hearing.
8. In the meanwhile, it is directed that the police official shall ensure that the petitioner is not removed from the jurisdiction of this Court without further orders.
9. List on 14.08.2020.

VIBHU BAKHRU, J

JULY 24, 2020
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