

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

98 WRIT PETITION NO.7868 OF 2021

RAJASHRI DNYANESHWAR KOYLE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioner : Mr. Manale Satish S.
AGP for Respondents 1 & 2 : Mr. P.K. Lakhotiya
...

**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, JJ.**
DATED : 26/07/2021.

PER COURT :

1. The petitioner seeks permission to terminate the pregnancy.

2. The petitioner was referred to the Expert Committee at respondent No. 2 Medical College and Hospital. The Expert Committee examined the petitioner and submitted the report. Relevant part of the report reads thus :-

"3. Investigation done :-

Sr. No.	Investigations done	Key findings
1	CBC	Hb - 11gm/dl
2.	HIV, HBSAG	Non reative
3.	Blood Group	O Negative
4.	Liver & Kidney Function Tests	Normal

5.	Obstetric USG (24-07-2021)	Single Live Intrauterine Pregnancy of 24 weeks + 2 days sacral/hypoplasia.
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4. Additional findings and observations :

a) Record additional findings and observations here, if any (Also include any risk to the health of girl/women in case continuation of pregnancy as well as terminatio) – She is Third Gravida Patient. May need Surgical method of termination of pregnancy, If Medical Methods fail

5. Physical fitness for termination –

√ a) Yes.

b) No.

6. Recommendations by Medical Board for termination (Choose one and provide any additional recommendations of the panel in the box below, if any) :-

b) Recommended – (if yes, please mention the methods) :- Yes. Medical Method is recommended. If Medical Methods fail then Surgical termination of pregnancy may be required.

c) Not (if no, justification).

Key recommendations of the panel (if any) with justification :
The continuation of her pregnancy would involve grave injury to her mental health and there is Substantial risk if the Child were born it would suffer from such physical and mental Abnormalities as to be seriously handicapped so please give permission to terminate the pregnancy.

Date and time : 24/07/2021 Time- 12.00 pm”

3. The Committee has opined that the continuation of

pregnancy would involve grave injury to her mental health and there is substantial risk if the child were born it would suffer from such physical and mental abnormalities as to be seriously handicapped. The Expert Committee has recommended termination of pregnancy.

4. The learned counsel for the petitioner submits that the risk involved in termination of pregnancy is explained to the petitioner and the petitioner wants to proceed further with the termination of pregnancy.

5. In the light of above and the report of the Expert Committee, the petitioner is permitted to terminate the pregnancy at any Government Recognized Centre.

6. Writ petition is disposed of. No costs.

7. Parties to act on authenticated copy.

[R.N. LADDHA, J.]

[S.V. GANGAPURWALA, J.]

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