

CWP-6358-2021

Date of decision: 22.03.2021

Kamla Devi (Minor)

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Ms. Rahish Pahwa, Advocate
for the petitioner.Mr. T.P.S. Chawla, DAG, Punjab
for respondent No.1-State.Ms. Shubreet Kaur Saron, Junior Panel Counsel
for respondent No.2-U.T. Chandigarh.Ms. Sukhmani Boparai, Advocate for
Mr. Amit Jhanji, Advocate
for respondent No.3.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

In compliance of order dated 18.03.2021, a sealed envelope, addressed by the PGIMER, Chandigarh, has been received by counsel for the petitioner. Let the sealed envelope be opened and out of which, one page report of the Medical Board carrying No. HSPADM 000 490 dated 20.03.2021 taken out and the

same is placed on the record.

The petitioner has invoked the jurisdiction of this Court in terms of Article 226 of the Constitution of India seeking prayer by way of writ of *mandamus* for issuance of directions to the respondents for termination of pregnancy of petitioner-Kamla Devi (minor) who is presently having pregnancy of above 20 weeks as per Medical Report dated 04.03.2021 (Annexure P-1) in view of Medical Termination of Pregnancy Act, 1971.

In light of due compliance of order dated 18.03.2021, there has been willingness by the minor girl, shown to the authorities for getting her pregnancy terminated and that in view of her age, being unmarried, the birth of a child to unwed mother would bring about innumerable amount of psychological stress, social disrepute, besides at this age, would result in her physical degradation and might leave a permanent scar on her psyche besides the fact that the unwanted child would be left in lurch.

The present writ petition is allowed. The petitioner is at liberty to get her pregnancy terminated in the womb and ensure that it is done by specialist medical professionals as per the requirements laid down in the Medical Termination of Pregnancy Act, 1971 without use of any undue coercion and pressure upon the woman upon obtaining her consent.

Office is directed to send the copy of this order without

loss of time.

The petition stands disposed off accordingly.

22.03.2021
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No