

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.11854 of 2021
Date of Decision:09.07.2021**

Nisha

...Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: - Mr.Amardeep Singh Mann, Advocate,
for the petitioner.

Mr.Abhaypal Singh Gill, AAG, Punjab.

Mr.Piyush Khanna, Advocate, for respondent No.4

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL. J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Prayer in this writ petition is for permission for medical termination of pregnancy of the petitioner.

It is submitted that the foetus carried by the petitioner has been diagnosed with congenital malformation and the prognosis for continuation of the pregnancy is not good. However, the foetus is over 20 weeks old.

Medical termination of pregnancy was thus not carried out.

Permanent Medical Board for Medical Termination of Pregnancy, PGIMER, Chandigarh, vide order dated 06.07.2021 in this petition, was asked to examine the petitioner for an evaluation for advisability of medical termination of pregnancy.

Report of Medical Board has been received in a sealed cover today. Same is opened and perused. Relevant observations of the Medical Board report read as under: -

- “1. As per the ultrasound done on 7.7.2021 showed the period of gestation (POG) is 22 wks +6 days with single live intrauterine fetus with fetal congenital malformation i.e. Arnold Chiari malformation-type II. There is supratentorial hydrocephalus with crowded posterior fossa structures and lumbosacral meningocele.*
- 2. Patient is psychologically distressed due to abnormal fetus in the present pregnancy.*
- 3. The patient has been clinically examined and found to be medically fit.*
- 4. Keeping in view the above, the Permanent Medical Board recommends that this patient may undergo medical termination of pregnancy at this stage due to single live intrauterine pregnancy with multiple congenital anomalies (poor prognosis not compatible with normal quality of life).”*

The Medical Board has recommended that patient may undergo medical termination of pregnancy at this stage due to single live intrauterine pregnancy with multiple congenital anomalies (poor prognosis not compatible

with normal quality of life). Report dated 07.07.2021 of the Board is taken on record subject to just exceptions.

Keeping in view the specific opinion of the Permanent Medical Board for Medical Termination of Pregnancy, PGIMER, Chandigarh as above, it is directed that pregnancy of petitioner be terminated. The petitioner shall remain present at the office of the Medical Superintendent, PGIMER, Chandigarh tomorrow i.e., on 10.07.2021 for admission and necessary steps to be taken for medical termination of pregnancy.

Needless to say, due care and medical treatment be made available to the petitioner. It is also directed that in case the petitioner needs any further care after the procedure, the same be also provided to her.

Writ petition is accordingly disposed of.

(LISA GILL)
JUDGE

09.07.2021

Vivek

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