

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

**CWP No.12297 of 2021
Date of Decision:12.07.2021**

Parveen Bala and another

...Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: - Mr.Lokesh Vohra, Advocate, for the petitioners.

Ms.Lavanya Paul, AAG, Punjab, for respondent No.1.

Mr.Satbir Singh Kanwar, Advocate, for respondents No.2 & 3.

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 petitioner No.1.

It is submitted that the foetus carried by petitioner No.1 has been diagnosed with major congenital heart defect – ‘corrected transposition of great arteries with persistent left SVC’. Prognosis for carrying on with the

pregnancy is not good. However, the foetus is over 21 weeks old. Medical termination of pregnancy was thus not carried out.

Permanent Medical Board for Medical Termination of Pregnancy, PGIMER, Chandigarh, vide order dated 09.07.2021 in this petition, was asked to examine petitioner No.1 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 10.7.2021 showed the period of gestation (POG) is 20wks +4 days with single live intrauterine fetus with cardiac malformation (TGA) i.e. aorta arriving from morphological right ventricle and pulmonary artery from morphological left ventricle.*
- 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 cardiac malformation (poor prognosis not compatible with normal quality of life).”*

The Medical Board has recommended that patient/petitioner No.1 may undergo medical termination of pregnancy at this stage due to ‘single live intrauterine pregnancy with *cardiac malformation* (poor prognosis not

compatible with normal quality of life)'. Report dated 10.07.2021 of the Board is taken on record subject to just exceptions.

Keeping in view categoric opinion of the Permanent Medical Board for Medical Termination of Pregnancy, PGIMER, Chandigarh as above, medical termination of pregnancy of petitioner No.1 is permitted. Petitioner No.1 shall remain present at the office of the Medical Superintendent, PGIMER, Chandigarh tomorrow i.e., on 13.07.2021 at 10 AM 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 petitioner No.1. It is also directed that in case petitioner No.1 needs any further care after the procedure, the same be also provided to her.

Writ petition is accordingly disposed of.

(LISA GILL)
JUDGE

12.07.2021

Vivek

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