

SI No.48
06.03.2023.
SB-II

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**WPA 500 of 2023
Ram Pratap Choudhury
-versus
The State of West Bengal & Ors.**

Ms. Supriya Singh
Ms. Susmita Ghosh
... for the petitioner.

Mr. Subir Kumar Saha, AGP
Mr. Momenur Rahman
... for the State.

A report has been forwarded to the learned advocate on record of the petitioner by the Medical Superintendent-cum-Vice Principal, North Bengal Medical College and Hospital dated March 2, 2023 annexing a copy of the decision arrived at by the Zonal Medical Board dated March 1, 2023 wherein it has been mentioned that the Board decided that the medical termination of pregnancy of the minor child can be done in the North Bengal Medical College after obtaining the consent of the parents of the minor child. Advice has been given for admission and compliance of necessary medico legal formalities.

Learned advocate of the petitioner submits that as per the information of the Zonal Medical Board, the minor girl had been admitted to the hospital for medical termination of pregnancy and the pregnancy has been terminated today morning i.e. 6th March, 2023.

A report has been prepared by the Officer-in-Charge, Birpara police station signed on March 6, 2023

which mentions that sincere effort has been made to collect evidence of the wrong doer. The father of the minor child was repeatedly requested over his mobile phone to disclose the name(s) of the person(s) responsible for causing pregnancy to the minor child but the parents of the minor child is not cooperating or divulging any information to the police.

Learned advocate representing the petitioner submits that the grandfather of the child expired on February 27, 2023 at 9 pm.

It has been submitted that immediately after the rituals are over, the parents of the minor child will cooperate with the investigation to be conducted by the police.

The learned advocate has also submitted that the parents are willing to take the child to the police station for interrogation.

In view of the above, the instant writ petition is disposed of by directing the police to conduct investigation as directed in the order dated February 27, 2023.

In the event, the parents of the minor child are unwilling to cooperate with the police for investigation to find out the culprits who are responsible for causing pregnancy to the minor child, then it will be open for the police to take steps against them in accordance with law.

The writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

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(Amrita Sinha, J.)