

July 18, 2024
Sl. No.14
Court No.9
s.biswas

WPA 18148 of 2024

xxx
vs.

The State of West Bengal and others

Mr. Niladri Sekhar Ghosh
Mr. Sourav Mondal
Ms. Labani Sikder

... for the petitioner

Mr. Amitesh Banerjee, Sr. Adv.
Ms. Ipsita Banerjee
Mr. Debangshu Dinda

... for the State

1. The petitioner is a minor and a victim of sexual assault. The assault resulted in pregnancy. The child was taken to the Child Welfare Committed, Hooghly. The committee released the child and restored her to her parents on July 3, 2024. The committee opined that termination of pregnancy was required to be done as early as possible. The victim was admitted to Walsh Hospital, Serampore, Hooghly, but no action had been done. Both the parents and the victim consented to medical termination of pregnancy. Thus, the Superintendent of the Walsh Hospital, Serampore, Hooghly was requested by the committee to proceed with the termination.
2. As the committee has approved and both the parents and the victim want to ensure termination and also because the pregnancy is a result of sexual assault, the termination should

be effected immediately, upon the Superintendent of Walsh Hospital, Serampore, Hooghly being satisfied that the termination will not be life threatening. The hospital authorities are also directed to preserve the foetus and the placenta for the purpose of investigation. The termination of pregnancy will be effected within two weeks from date, if there is no life risk.

3. The writ petition is accordingly disposed of.
4. All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)