



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4723 OF 2024
IN WP/1463/2024

X Since Minor Through Her Father Guardian

VERSUS

The State Of Maharashtra Through
Police Inspector And Another

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Mr. M. S. Bhosale, Advocate for Applicant

Mr. R. S. Wani, AGP for Respondents/State

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CORAM : RAVINDRA V. GHUGE &
R. M. JOSHI, JJ

DATE : MAY 10, 2024

PER COURT :

1. The Writ Petition No. 1463 of 2024 was filed only for the purpose of seeking permission of the Court for a medical termination of the pregnancy. Though an FIR has been lodged on 31.01.2024, by the father of the victim, the name of the accused has not been disclosed and there is no accused in the FIR.

2. Considering the facts of the case, we had declined to permit the medical termination of the pregnancy. As the parents desired, we allowed the Shelter Home to take care of the victim. A child is born and the baby (10 days old) is handed over to the

Child and Welfare Committee, which has now handed over the child to the Bhartiya Samaj Seva Kendra.

3. There was no order of detaining the victim with the Savitribai Mahila Rajyagruha, Aurangabad after the birth of the child. We are informed that the DNA sampling of the child has already been done and the sample is preserved.

4. The learned AGP submits, on instructions, that the statement of the victim under Section 164 of the Code of Criminal Procedure, is yet to be recorded.

5. The learned Advocate for the parents of the victim submits that if the statement is recorded within a period of 10 to 15 days from today, the victim will cooperate and thereafter the Shelter Home can release the victim to her parents.

6. In view of the above, **this Civil Application is disposed off.**

7. The learned AGP would instruct the

investigating officer to initiate appropriate steps for recording the statement of the victim within 15 days, under Section 164 of the Code of Criminal Procedure.

8. Considering the above statements, we are recording the statement of the parents of the victim that after her statement is recorded, the Shelter Home can release the victim and the parents will take her back to her native place.

(R. M. JOSHI, J)
Malani

(RAVINDRA V. GHUGE, J)