

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3663 OF 2024**

1. Ms. XYZ
age: 14 Goregaon, Dist. RaigadPetitioner

Vs.

1. State Of Maharashtra,
Through its Public Health Department
Having its office at
Madam Cama Road, Hutatma Rajguru
Chowk, Nariman Point, Mumbai-400032

2. Goregaon Police Station,
Alibaug, RaigadRespondents

Ms. Manisha S. Jagtap, for the Petitioner.
Smt. M.H.Mhatre, APP for Respondent-State.

**CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.**
DATED : 23rd AUGUST, 2024.

PC:-

1) Leave to amend to add the District Hospital, Alibaug, Raigad in the cause title as Respondent No.3 is granted. Amendment is to be carried out forthwith.

2) The Petitioner, a minor of 14 years of age, is in the 26th week of pregnancy, being a victim of child abuse. There is a FIR filed against the accused in the said crime. She seeks permission for medical termination of the pregnancy.

- 3) The Petitioner is presently admitted in the City Civil Hospital, Alibaug, Raigad. Having regard to these circumstances, we request the District Surgeon of the District Hospital, Alibaug, Raigad to constitute a Medical Board in terms of the Medical Termination of Pregnancy (Amendment) Act, 2021 (MTP Act) as prescribed by Section 3(2D) of the Act, to examine the Petitioner.
- 4) The Petitioner will present herself before the District Surgeon of the District Hospital, Alibaug, Raigad on 24th August 2024 at 11.00 am. We request the Board to submit the copy of the report to this Court at the earliest considering the urgency and latest by 26th August 2024. The Board is required to certify whether the Petitioner is fit to undergo the procedure. We would request that a clinical psychologist be appointed in the Medical Board to evaluate the Petitioner's mental health.
- 5) All concerned parties will act on the production of the authenticated copy of this order.
- 6) List the Petition on 26th August 2024 at 2:30 pm for further directions.

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

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signed by
SHAMBHAVI
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