



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

962 WRIT PETITION NO. 4130 OF 2025

XYZ UNDER GUARDIAN OF FATHER TRIMBAK ALIAS TRIMUKH MANIK
GAVHANE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...

Advocate for the Petitioner : Mr. More P. P.

AGP for Respondents: Mrs. P.J. Bharad

CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

DATE : 28.03.2025

PER COURT :

Heard the learned advocate for the petitioner and the learned A.G.P.

2. Pursuant to the directions issued on 26.03.2025, the High Court Registry seems to have received a report from the concerned Medical Board by email, printouts of which have been placed on record. The opinion reads as under :

“6. Opinion by Medical Board for termination of pregnancy:

a) Allowed.

Justification for the decision :

1) Continuation of pregnancy may affect mental health of patient.

2) As the pregnant petitioner is minor seeking medical termination of pregnancy at Hon'ble High Court. Hence the medical board recommends termination of pregnancy at Government recognized center of choice of the patient with below mentioned risk.

A) Medical board has explained the risk involved in the procedure to the patient and her relatives.

B) She may have risk of various complications if she

undergoes termination of pregnancy like-

- 1) Haemorrhage
- 2) Failure of abortion
- 3) Need of surgical method (Hysterotomy)
- 4) Incomplete Abortion
- 5) Sepsis
- 6) Maternal death
- 7) Need of the blood transfusion.
- 8) Pulmonary Oedema/embolism.

3. Considering the fact the petitioner is a girl aged 15 years and is carrying pregnancy, an offence of rape has been registered, pursuant to the opinion expressed by the Medical Board and considering the explanation to sub Section 2 of Section 3 of the Medical Termination of Pregnancy Act, 1971, the writ petition is allowed. Permission is granted for termination of the pregnancy, at Swami Ramanand Teerth Rural Medical College, Ambajogai, with the consent of both the parents, within two days.

4. The D.N.A. of the fetus shall be extracted and preserved.

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

mkd/-