



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

916 WRIT PETITION NO. 7607 OF 2025

X.Y.Z
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

.....
Advocate for the Petitioner : Ms. Vanita Haribhau Sangole Jaitmal
GP for Respondents/State : Mr. A.B. Girase & Ms. S.S. Joshi, AGP
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CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 26th June, 2025

PC. :-

1. Yesterday, we had passed the following order as under:

“1. We have perused the documents placed before us and have also perused FIR No.381 registered on 19.06.2025 with the Chopda City Police Station, District Jalgaon. We have also perused the sonography report of the Department of Radiology, Government Medical College, Jalgaon, dated 18.06.2025 indicating that the foetus is approximately 23 weeks and 06 days as on 18.06.2025. The foetus is thus 24 weeks today.

2. We are informed by the learned AGP in consultation with the Assistant Professor, Gynecology, Government Medical College, Jalgaon, that ‘Intracardiac Potassium Chloride Injection’, which is the medical procedure used for termination of pregnancy in later stage of gestation, is not available at Jalgaon and this medical procedure is available at the Government Medical College and Hospital, Chhatrapati Sambhajinagar.

3. *In view of the above, we are seeking the report of the Medical Board of the Government Medical College, Jalgaon, as to whether, the victim, who is 14 years of age, is capable of suffering medical termination of pregnancy and whether, there is any risk to her life. Let the victim be examined, who is already admitted in the same hospital at Jalgaon. Let the report be placed before this Court tomorrow (26.06.2025).*

4. ***Stand over to 26.06.2025 (tomorrow).***”

2. The report of the Medical Board of the Government Medical College & Hospital at Jalgaon dated 26.06.2025, is placed before us by the learned AGP. The said report is received through e-mail in the office of the learned GP. The said report is marked as ‘**X**’ for identification.

3. The Medical Board has opined that if this Court permits the termination of pregnancy by following the medical procedure, the termination can be carried out. However, we were informed yesterday, on instructions from the Government Medical College & Hospital, Jalgaon, that the ‘Intracardiac Potassium Chloride Injection’, which is the medical procedure used for termination of pregnancy in advanced stage of gestation, is not available at Jalgaon and this medical procedure is available at the Government Medical College and Hospital, Chh. Sambhajinagar.

4. The learned GP submits that the Government Medical College & Hospital, Jalgaon through its Registrar would intimate the Investigating Officer of the concerned police station where the FIR has been registered and by giving him the entire information, the Patient/Victim would be moved by the Government Medical College & Hospital, Jalgaon taking due care and caution with adequate medical support, through a Medically well equipped Ambulance, to the Government Medical College & Hospital at Chh. Sambhajinagar within a short time. The learned GP submits that the patient would be shifted to the Government Medical College & Hospital, Chh. Sambhajinagar and considering the health condition of the Victim, the procedure for medically terminating the pregnancy would be conducted, preferably, tomorrow.

5. By recording the above statement and considering the medical report 'X', we grant permission for carrying out the procedure as is set out in paragraph no.2 of our order dated 25.06.2025. The parents of the Victim would give an undertaking as regards the risk involved in this process with a statement that they would not blame the Hospital / Doctors / Medical staff, if there is any unexpected event that may occur during the said procedure. So also, the Government Medical College & Hospital, Chh. Sambhajinagar would ensure that the specified kit required

for preserving the sample for DNA testing, would also be completed and a procedure would be followed as is required under the law.

6. With the above directions, **this Petition is disposed off.**

7. The learned advocate appearing for the Victim and her parents, has been appointed through legal aid and we quantify her fees @ Rs. 7,500/-.

8. Parties to act on an authenticated copy of this order.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]