



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 2503 of 2025

Sarita Manohar Kolhe

vs.

The State of Maharashtra and others.

Mr.A. M. Chandekar, Advocate for petitioner.

Mrs. S. S. Jachak, Additional Government Pleader for respondent nos. 1 to 4.

CORAM :- NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 9th MAY, 2025

P. C.

We have heard Mr. Chandekar, learned counsel for the petitioner and Mrs. S. S. Jachak, learned Additional Government Pleader for the respondents.

2. Mrs. Jachak, learned Additional Government Pleader, in compliance with the order dated 06.05.2025 has placed on record compliance report issued by the Civil Surgeon, which reads thus:

“Compliance report”

“As per the order given by Hon’ble High Court in the above mentioned Petition on dated 06.05.2025 and directed the respondent no.2 i.e. Civil Surgeon, KTS General Hospital, Gondia to constitute committee to examine the health condition of the petitioner and to give opinion to undergo Medical Termination of Pregnancy. Accordingly expert committee is constituted which consist of following members:-

- 1] Dr. Trupti Katre, Additional Civil Surgeon, KTS Gondia.
- 2] Dr. Pawan Raut, Additional Civil Surgeon, BGW Gondia.
- 3] Dr. Poshan Bisen, Phisician, KTS General Hospital, Gondia.
- 4] Dr. Sheetal Khandelwal, Gynaecologist, BGW Hospital, Gondia.
- 5] Dr. Lokesh Chirwatkar, Psychiatrist, KTS General Hospital, Gondia.

The expert Medical Committee Members individually examined the petitioner and given their report, according to this reports the final opinion is that the petitioner is having moderate to severe intellectual disability and physically fit to undergo MTP procedure as per MTP Act, 1971.”

3. The counsel for the petitioner does not dispute the contents of the aforesaid report submitted by the Civil Surgeon and has brought to our notice that the petitioner, a victim of the offence in question was hospitalized by her mother to undergo the related procedure for termination of medical pregnancy.

4. As the Experts have already opined as reflected and reproduced above pursuant to the certification by the Civil Surgeon to that effect, the victim is already hospitalized for carrying out the necessary procedure, we deem it appropriate to dispose of the writ petition in view of the compliance report submitted by the Civil Surgeon. No costs.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.