

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.5683 OF 2026

XYZ

...Petitioner

Versus

The State of Maharashtra,
through the Principal Secretary,
Public Health Department

...Respondents

Ms. Afreen Khan for the Petitioner.

Ms. M. P. Thakur, A.G.P for the Respondent–State.

***CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.***

DATE : 28th APRIL 2026

P.C. :

1. The petition being filed by a 26 year old unmarried women seek permission from this Court to terminate the pregnancy of 24 weeks.

The petitioner has set out her social background and also her financial capability in the petition and has expressed her desire to terminate the pregnancy by stating that she is neither financially, emotionally or mentally in a position to continue the pregnancy and

raise the child. Since no registered medical practitioners were willing to perform the procedure as her gestation period is beyond 20 weeks, she has approached this Court, in the light of the directions issued by the Hon'ble Apex Court in the case of *X v/s The Principal Secretary, Health and Family Welfare Department, Govt. of NCT of Delhi and Another*¹, wherein the Apex Court has recognised the autonomy of a women whether married or single in not continuing with an unwarranted pregnancy and has recognised her right to terminate the pregnancy by following necessary procedure as her fundamental right.

2. On hearing learned counsel for the petitioner and on perusal of the medical papers annexed as enclosures, with specific reference to the Sonography conducted on 8th April 2026 in a private hospital, which has reported about a single live intrauterine pregnancy of average gestational age 21 weeks and recommended subsequent follow-up.

1 (2022) 7 SCR 686

Since the petitioner is not desirous of continuing with the pregnancy, we direct her to report before the B. J. Government Medical College and Sassoon Hospital, Pune, so that she can be medically examined by a special team constituted for the purposes of terminating the pregnancy in terms of the directives of the Apex Court and under the Medical Termination of Pregnancy Act, if the fetus is above the prescribed limit as set out in the Act.

3. The petitioner undertakes to report to the B. J. Government Medical College and Sassoon Hospital, Pune, during the course of the day and the learned A.G.P. Ms. Thakur make a statement that upon the petitioner reporting to the said Hospital, she will issue instructions to the Dean, B. J. Government Medical College and Sassoon Hospital, at Pune, to examine her through the Expert Committee specifically constituted for this purpose either today or tomorrow, so that a report of her medical examination shall be placed before this Court for further directions.

4. Stand over to 30th April 2026. To be listed on the Supplementary Board.

All concerned to act on the authenticated copy of this order.

MANJUSHA DESHPANDE, J.

BHARATI DANGRE, J.