



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

266

CWP-6535-2026

Date of Decision: 10.03.2026

BXXXXX KXXXX AND ANOTHER

...Petitioners

Vs.

STATE OF PUNJAB AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Ms. Komal Preet Kaur, Advocate
for the petitioners

Mr. Aman Dhir, Deputy Advocate General, Punjab

Mr. S.K. Mukhi, Advocate with
Mr. S.L. Saha, Advocate
for respondent No.5

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to respondent No.2 to permit and facilitate medical termination of petitioner No.1's pregnancy in accordance with Medical Termination of Pregnancy (MTP) Act, 1971 (for short '1971 Act'). She is further seeking direction to respondent No.3 to record her statement in FIR No.184 dated 19.11.2025 under Sections 137(3), 87, 3(5), BNS, 2023 registered at Police Station Ramdas, District Amritsar.

2. Mr. S.K. Mukhi, Advocate has filed Power of Attorney on behalf of respondent No.5 along with pendrive. The same are taken on record. Registry is directed to tag the same at an appropriate place.

3. On 27.02.2026, the following order was passed by this Court:-

“Petitioner No.1, who is 17 years of age and is a victim of sexual assault, has approached this Court for termination of pregnancy under the Medical Termination of Pregnancy (MTP) Act, 1971. It has been asserted that gestation period of pregnancy is 7-8 weeks. She submits that when petitioner No.1 approached hospital authorities for abortion, they declined to do so.

Issue notice of motion restricted to respondents No.1 to 3.

On asking of the Court, Mr. Kanav Singla, AAG, Punjab, accepts notice on their behalf. Copy of the petition be supplied to him during the course of the day.

On his request, list on 10.03.2026.

In the meanwhile, Civil Surgeon, Amritsar-respondent No.2, is directed to medically examine petitioner No.1 and submit a report before this Court regarding the feasibility for termination of pregnancy. Respondent No.2 may, if deemed appropriate constitute a Board of Doctors to examine petitioner No.1 and submit a report.”

4. In compliance of aforesaid order, the respondent has placed on record report dated 03.03.2026 of Board of Doctors confirming that petitioner can undergo termination of pregnancy under Medical Termination of Pregnancy (Amendment) Act, 2021. Report dated 03.03.2026 is taken on record. Registry is directed to tag the same at an appropriate place.

5. Learned State counsel submits that in view of report of Board of Doctors, the petitioner No.1 may be permitted to undergo medical termination of pregnancy.

6. In the wake of report of Board of Doctors and statement of learned State counsel, this Court is of the considered opinion that petition *qua* medical termination of pregnancy deserves to be allowed and accordingly allowed.

7. Petitioner No.1 is permitted to undergo medical termination of pregnancy in accordance with 1971 Act. The respondent while conducting procedure shall follow protocol as prescribed under 1971 Act as well as instructions issued by authorities. SSP, Amritsar (Rural) shall cooperate medical authorities in discharge of their duty. The Court is sanguine that investigating officer shall investigate the matter in accordance with law.

8. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

March 10, 2026
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No