



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

119

CWP-9478-2026

Date of Decision: 10.04.2026

X (MINOR) THROUGH HER MOTHER POOJA DEVI

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Ashish Sheokand, Advocate for petitioner

Mr. Deepak Vashisht, DAG, Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to constitute a Medical Board for examination of minor victim for termination of pregnancy. She is further seeking provision for medical care, counselling, psychological assistance and rehabilitation support to the minor victim.

2. Written Statement dated 08.04.2026 filed by Dr. Suman Kohli, Chief Medical Officer (CMO)-cum-Civil Surgeon, Jind on behalf of respondent Nos.5 & 6 is taken on record. Registry is directed to tag the same at an appropriate place.

3. The petitioner is mother of a minor rape survivor. An FIR No. 50 dated 17.02.2026 under Sections 65(1) & 137 of Protection of Children from Sexual Offences Act, 2012 (for short "POCSO Act") and Section 96 of Bharatiya Nyaya Sanhita, 2023 (for short "BNS") stands registered against



accused. The minor along with the petitioner approached Civil Hospital, Jind seeking medical termination of pregnancy. She preferred an application dated 03.03.2026 pursuant to which they were directed to appear before Obstetrics and Gynecology Department, Civil Hospital, Jind vide letter dated 05.03.2026. They claim that they were subjected to undue pressure into continuing with the pregnancy. Despite the urgency, the respondents have failed to constitute a Medical Board and no proper examination has taken place till date. The gestation period of pregnancy is more than 24 weeks.

4. Learned State counsel submits that in view of gestation period of pregnancy, it is not possible to conduct medical termination of the pregnancy. It is even otherwise impermissible under Medical Termination of Pregnancy Act, 2021 because at present pregnancy is more than 24 weeks.

5. Faced with this, learned counsel for the petitioner submits that in view of precarious financial condition of the petitioner, she may be immediately extended financial assistance.

6. The petition stands disposed of without commenting on merits as well as petitioner's right of compensation under POCSO Act as well as BNSS, however, with a direction to respondent to pay a sum of Rs.1 lakh within four weeks from today so that victim (minor child) may undergo proper treatment.

7. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

10.04.2026
SDK

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No