IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6214 OF 2026

ABC Through her mother XYZ. ...Petitioner.

Versus

The State of Maharashtra and Others. ...Respondents.

Mr. Sourabh P. Tandale for the Petitioner.
Mrs. M. P. Thakur, AGP for the Respondent-State.

Coram : Sharmila U. Deshmukh & Abhay J. Mantri, JJ.

Date : November 27, 2026.

P. C. :

1. The present petition has been filed seeking permission for medical termination of the pregnancy of minor, who is victim of the offence punishable under Sections 64(2)(m) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6 and 8 of the POCSO Act, 2012 and an FIR has been registered with Karvir Police Station, District Kolhapur on 21st November 2026.

2. Vide order dated 26th November 2026, this Court had directed the medical board to examine the minor and submit a report as regards the feasibility of termination of the pregnancy of minor. Accordingly, report of the medical board is submitted to this Court today at 3.00 p.m. The same is taken on record and marked "X" for identification. The conclusion of the medical board is that continuation of the pregnancy

may pose high risk to the mental and physical health of minor. The medical board has recommended medical termination of the pregnancy of the minor and she has been considered fit for surgical procedure.

3. Considering the age of the Petitioner and the crime which has resulted in the the Petitioner becoming pregnant, we have given our due consideration to the medical report and in our opinion, permission can be granted for medical termination of her pregnancy. The continuation of pregnancy will result in grave harm to the mental condition of the minor, who is aged about 15 years. In view of the report of medical board, the minor is permitted to undergo medical termination of pregnancy at CPR Hospital, Kolhapur. It is informed that the minor is already admitted to CPR Hospital, Kolhapur.

4. The authorities of CPR Hospital, Kolhapur shall facilitate termination of pregnancy of the Petitioner. The same shall be carried out under the supervision of the Medical Board and the authorities of CPR Hospital, Kolhapur shall ensure that the Petitioner is provided best available medical treatment. Procedure for medical termination of pregnancy of Petitioner to be conducted at CPR Hospital, Kolhapur immediately upon receipt of a copy of this order, which would be made available by 5.00 p.m. today.

5. The State shall ensure that all medical help is given to the Petitioner and in event the child is born alive, it will be the responsibility

of State Agencies to take care of such child in accordance with the provisions of the Juvenile Justice Act, in case the parents of Petitioner are not willing to take responsibility of such born child.

6. As the minor is a victim of crime, the authorities of CPR Hospital, Kolhapur shall take necessary blood sample and tissue sample of the feotus and shall preserve the same for carrying out necessary tests, including DNA identification for the purpose of trial. The investigating officer to send the blood sample and tissue sample for preservation to the Forensic Science Laboratory.

7. All concerned to act upon the authenticated copy of this order.

[Abhay J. Mantri, J.] **[Sharmila U. Deshmukh, J.]**