

Court No. - 4

Case :- WRIT - C No. - 6102 of 2022

Petitioner :- Ms. X Thru. Her Legal Guardian Bharat Lal

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home
Civil Sectr. Lko. And Others

Counsel for Petitioner :- Ashish Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Attau Rahman Masoodi,J.

Hon'ble Om Prakash Shukla,J.

The report dated 12.9.2022 placed by Sri Shivam Tripathi, learned counsel for the University is taken on record.

The case relates to unwanted pregnancy of a rape victim. We had fixed the matter on 14.9.2022.

Sri Shivam Tripathi, learned counsel appearing for the University has been prompt enough to apprise the Court about the report which we called for under our order dated 14.9.2022. On an oral request of the learned counsel for the University, we proceeded to summon the record of the case and that is how the matter has come up. We deem the case to be an urgent one calling for immediate attention. It is in these circumstances, we proceed to pass the following order.

Keeping in view the report dated 12.9.2022 placed before us, we permit the medical experts to proceed with the challenge of terminating the pregnancy in the interest of justice. This we permit in order to free the victim of the trauma and social miseries ahead. The petitioner shall be provided due medical care equipped with all the necessities required for the purpose. We hope and trust that the CMO, Bahraich shall monitor financial implications to the fullest inclusive of the fooding and lodging of two extra family members of the victim.

We also permit the medical board to obtain necessary consent of victim's father before termination of pregnancy. The tissues of foetus shall be preserved for forensic analysis and use of the evidence in trial.

List/put up this matter on 20.9.2022.

Order Date :- 12.9.2022

SKS