

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (DIRECTION) NO. 3320 of 2026****FOR APPROVAL AND SIGNATURE:****HONOURABLE MR. JUSTICE M. R. MENGDEY**

Approved for Reporting	Yes	No

ABC MINOR THRO. LEELABEN MANHARBHAI PATEL
Versus
STATE OF GUJARAT & ORS.

Appearance:

BHAUMIK H SHAH(8188) for the Applicant(s) No. 1

MS. SNEHAL C RATHVA(14658) for the Applicant(s) No. 1

MR. DHAWAN JAYSWAL, APP for the Respondent(s) No. 1

CORAM:HONOURABLE MR. JUSTICE M. R. MENGDEY**Date : 12/03/2026****JUDGMENT**

1. This Court vide order dated 10.03.2026 had directed the Committee consisting of the Head of the Department of Gynecology as well as other experts to examine the petitioner with regard to termination of pregnancy.

2. The victim was examined by the Committee of experts 11.03.2026 and the report of the Committee is produced for perusal. The report indicates that at this gestational age, the risk of termination of pregnancy is higher than delivery at term. The report further suggests that, if pregnancy is terminated at this gestational age, baby is likely to be born alive and is highly likely to have complications of prematurity like; respiratory distress syndrome, necrotizing enterocolitis, intraventricular hemorrhage, and a ventilatory support and NICU admission may be needed. Hence it is opined by the expert of Doctors that the

third trimester medical termination of pregnancy of the alleged victim can only be proceeded with associated due risks of termination of a preterm pregnancy.

3. In view of the above, the permission for termination of pregnancy cannot be granted by this Court.

4. The Petition stands disposed of accordingly with following directions:

(i) Respondent No.3 – The Chief Medical Officer, S.S.G. Hospital & Medical College, Vadodara, shall have to take appropriate steps for follow up of the health of minor victim till she delivers the child. Special treatment to new born child is also ordered to be provided including neonatal care as per the requirement for better growth and health of new born child.

(ii) Periodical health check-up of minor victim and new born child should be undertaken by the medical expert.

(iii) After ascertaining the wish of minor victim and physical condition of new born child, custody of new born child be handed over to Specialized Adoption Agency, Vadodara, in the supervision of the Child Welfare Committee.

(iv) After ascertaining the wish of minor victim if she do not want to reside along with her family members then the concerned Investigating Officer is directed to make appropriate arrangement to shift the minor victim to Nari Sarankshan Gruh, Vadodara, which shall in turn take care for her better future including educational or vocational training to the minor victim as per the wish of the minor victim.

(v) The State Government to pay all the medical costs of delivery including expenses towards treatment and nutrition of the victim and new born child and all postpartum expenses for a period of six months.

(vi) The District Legal Services Authority is directed to take appropriate steps to provide interim compensation as early as possible to minor victim after following due process under the Victim Compensation Scheme.

(vii) The Secretary, District Legal Services Authority is directed to supervise all the aforesaid directions till the victim delivers and hand over the child for adoption to the Specialized Adoption Agency, Vadodara.

(M. R. MENGDEY,J)

J.N.W / 65