

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (DIRECTION) NO. 10022 of 2026****FOR APPROVAL AND SIGNATURE:****HONOURABLE MR. JUSTICE M. R. MENGDEY**

Approved for Reporting	Yes	No

XYZ (VICTIM) THRO LAXMIBEN W/O. GURUJI MANGUBHAI HALPATI AND
D/O. LAKKHUBHAI SOMABHAI HALPATI

Versus
STATE OF GUJARAT & ORS.

Appearance:

MS DIPMALA S DESAI(6596) for the Applicant(s) No. 1

MR. PRANAV DHAGAT, APP for the Respondent(s) No. 1

CORAM: HONOURABLE MR. JUSTICE M. R. MENGDEY

Date : 16/07/2026

JUDGMENT

1. This Court vide order dated 14.7.2026 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 15.7.2026 and the report of the Committee is produced for perusal. The report indicates that as the pregnancy duration is around 34 to 36 weeks gestational age with live fetus of effective fetal weight 2112 gm, considering risk associated with termination of pregnancy at this gestational age and for better outcome in future pregnancy, it is advisable to continue pregnancy till patient goes into spontaneous labour. The report thus indicates that having regard to the fetal and maternal complications, termination of pregnancy is not recommended.
3. Hence, 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 – Chief Medical Officer / Medical Superintendent, New Civil Hospital Campus, Majuragate, Surat 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, Surat, in the supervision of the Child Welfare Committee.

(iv) 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.

(v) 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.

(vi) 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, Surat.

(M. R. MENGDEY,J)

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