

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (DIRECTION) NO. 13070 of 2026**

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XYZ(MINOR) THRO SOLANKI HANSABEN W/O PRAVINBHAI MALDEBHAI
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MR SHAILESHKUMAR B RAYCHURA(10200) for the Applicant(s) No. 1
PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 03/09/2026

ORAL ORDER

1. Heard Mr. Raychura, learned advocate for the applicant-victim.
2. The applicant has prayed for the following reliefs:

"A. YOUR LORDSHIPS may be pleased to issue appropriate writ or order or direction to the respondent authority to terminate the pregnancy of petitioner-victim who is minor aged 15 years, at the earliest, as the same being in best interest of the victim, considering her very young age, physical health and incident of rape causing grave injury to her mental health and further be pleased to direct the respondent no.3 to hand over, in scientific manner, the tissues drawn from the fetus for DNA identification to the Police Inspector Bagvadar Police Station Dist: Porbandar for onward transmission of the same to the concerned Forensic Science Laboratory, interest of justice.

B. Pending admission hearing and final disposal of this petition, YOUR LORDSHIPS may be pleased to direct the respondent no.

1 to 3 to conduct medical termination of pregnancy of the minor victim with two qualified surgeons including Gynecologist, Obstetrician and in presence of qualified physician with duo care and precaution after carrying out necessary medical check-up, so as to avoid any likelihood of untoward harm to the physical or mental health of the minor victim, in the interest of justice."

3. The victim has lodged an FIR against the accused for the offences alleged under sections 64(2)(i), 64(2)(m), 65(1) of BNS and Sections 4, 6, 8 of the protection Of Children from Sexual Offences Act with the concerned Police Station, which has been registered on 27.08.2026. The allegations made in the FIR against the accused prima facie suggest the applicant being a victim of sexual abuse. From the report placed on record at Annexure "A", it transpires that the victim is aged 15 years and at present, she is carrying pregnancy of approximately 25 weeks.
4. Considering the submissions made by the learned advocate for the applicant and the averments made, issue NOTICE making it returnable on 07.09.2026.
5. In the meantime, the victim may be examined by the Senior doctors of Gynecologist and Obstetrician, at General

Hospital Porbandar. The applicant is directed to appear before the panel on 04.09.2026, for medical examination. The respondent no.3, is directed to submit a report as to whether termination of pregnancy is medically feasible or not. Considering the fact that she is an alleged victim of rape and she also inclines to terminate the pregnancy. The Investigating Officer is directed to remain present on the next date of hearing, with the report of the medical examination of the victim.

6. Noticing the averments made in the petition, let the name of the victim may not be disclosed in the orders which may be subsequently passed as well as on the medical records or any documents which are publicly made available.
7. Direct service is permitted.

Vikramsinh Amarsinh

(M. K. THAKKER,J)