



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO.101705 OF 2026 (GM-RES)

BETWEEN:

MS. X
AGED ABOUT 16 YEARS 3 MONTHS,
MINOR, REPRESENTED BY HER MOTHER:
SUSALAVVA SANKRATTI W/O. KAREPPA SANKRATTI,
AGED ABOUT 38 YEARS, OCC. HOUSEWIFE,
R/O. ALAKHANUR, TQ. RAIBAG,
DIST. BELAGAVI-591220.

...PETITIONER

(BY SRI. VISHWANATH S.BICHAGATTI, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
REPRESENTED BY CHIEF SECRETARY,
VIDHANA SOUDHA, BANGALORE-560001.
2. B.I.M.S HOSPITAL, BELAGAVI,
REPRESENTED BY: THE MEDICAL SUPERINTENDENT,
BIMS, BELAGAVI-590001.
3. B.I.M.S HOSPITAL, BELAGAVI,
DEPARTMENT OF RADIO DIAGNOSIS,
BIMS HOSPITAL, BELAGAVI,
REPRESENTED BY ITS SENIOR RESIDENT,
BIMS HOSPITAL, BELAGAVI-590001.
4. STATE OF KARNATAKA,
HARUGERI POLICE STATION,
REP. BY PUBLIC PROSECUTOR,
BELAGAVI-591220.





5. DISTRICT LEGAL SERVICES AUTHORITY
REPRESENTED BY:
ITS CHAIRMAN/MEMBER SECRETARY,
DISTRICT COURT COMPLEX,
BELAGAVI-590001.
6. DISTRICT CHILD PROTECTION OFFICER, BELAGAVI
DISTRICT CHILD PROTECTION OFFICER,
DISTRICT CHILD PROTECTION UNIT,
UNIT NO.204, 2ND FLOOR, UTTAR PRAVESH,
DHWARA, SUVARNA VIDHANA SOUDHA,
BELAGAVI, DIST. BELAGAVI-590020.

...RESPONDENTS

(BY SRI. T. HANUMAREDDY, ADDL. GOVT. ADVOCATE FOR R1 AND R4;
SRI. U.H. RAJPUT, ADVOCATE FOR R2 AND R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF CONSTITUTION OF INDIA, PRAYING TO 1. ISSUE AN APPROPRIATE WRIT OF MANDAMUS DIRECTING RESPONDENT NO. 2 AND RESPONDENT NO.3 TO ADMIT THE PETITIONER AND TAKE NECESSARY MEDICAL STEPS TO TERMINATE THE PREGNANCY. 2. ISSUE AN APPROPRIATE WRIT, ORDER OR DIRECTION DIRECTING OR RESPONDENT NO. 2 AND 3 HOSPITAL, TO PRESERVE THE TERMINATED FOETUS/ PRODUCT OF CONCEPTION FOR THE PURPOSE OF DNA TESTING AND ANALYSIS. 3. ISSUE AN APPROPRIATE WRIT, ORDER OR DIRECTION DIRECTING THE RESPONDENT NO. 4 INVESTIGATING OFFICER, POLICE STATION, HARUGERI, BELAGAVI BEING RESPONDENT NO. 4, TO TAKE ANY AND ALL STEPS TO CONDUCT DNA TESTS. 4. DIRECT THE RESPONDENT NO.5, DISTRICT LEGAL SERVICES AUTHORITY, HAVARI TO DISBURSE A SUM OF RUPEES THREE LAKHS ONLY TO THE PETITIONER UNDER THE KARNATAKA VICTIM COMPENSATION SCHEME. 5. DIRECT THE RESPONDENT NO. 6, SUM OF RUPEES SEVENTY FIVE THOUSAND ONLY AND / OR ANY OTHER FURTHER AMOUNTS TO THE PETITIONER IN ORDER FOR HER TO MEET THE EXPENSES OF MEDICAL TREATMENTS, COUNSELLING SERVICES, AND ANY OTHER MEDICAL CARE. 6. GRANT SUCH OR OTHER RELIEFS AS THIS HON'BLE COURT DEEMS FIT IN THE FACTS AND CIRCUMSTANCES OF THE ABOVE CASE AS ALSO COMPENSATION FOR THEIR LOSSES AND COSTS IN THE ABOVE IN THE INTERESTS OF JUSTICE AND EQUITY.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking the following prayers:

"1. Issue an appropriate Writ of Mandamus directing Respondent No. 2 and Respondent No.3 to admit the Petitioner and take necessary medical steps to terminate the pregnancy.

2. Issue an appropriate Writ, order or direction directing or Respondent No. 2 and 3 Hospital, to preserve the terminated foetus/ product of conception for the purpose of DNA testing and analysis.

3. Issue an appropriate Writ, order or direction directing the Respondent No. 4 Investigating Officer, Police Station, Harugeri, Belagavi being Respondent No. 4, to take any and all steps to conduct DNA tests.

4. Direct the Respondent No.5, District Legal Services Authority, Haveri to disburse a sum of Rupees Three Lakhs only to the Petitioner under the Karnataka Victim Compensation Scheme.

5. Direct the Respondent No. 6, sum of Rupees Seventy Five Thousand only and / or any other further amounts to the Petitioner in order for her to meet the expenses of medical treatments, counselling services, and any other medical care.

6. Grant such or other reliefs as this Hon'ble Court deems fit in the facts and circumstances of the above case as also compensation for their losses and costs in the above in the interests of justice and equity."

2. The petitioner, a minor girl, who is aged 16 years 3 months, is represented by her mother in the present writ petition. On 19.02.2026, she was examined at Belagavi Institute



of Medical Sciences and found to be 26 weeks 2 days pregnant as a result of sexual assault. On 18.02.2026, the mother of the petitioner had lodged a complaint in the police station and the case was registered as Crime No.0071/2026. On 19.02.2026, when the petitioner was taken for a medical check-up, the pregnancy had crossed 20 weeks. It is stated that the respondent No. 2 and 3 is the leading hospital in Karnataka for women and children with the best available facilities for pregnant women and there may be a direction to the respondent No.2 and 3 to terminate the pregnancy of the petitioner.

3. Learned AGA had brought to the notice of this Court an order passed in W.P.No.110142/2025 dated 30.12.2025, wherein at paragraphs 6 and 7 it is held as under:

"6. The fact that the daughter of the petitioner was a victim of a sexual assault is evident from Crime No.234 of 2025. The daughter of the petitioner is now carrying a foetus which is 26 weeks and 1 day old. If the petitioner's daughter is not willing to bear the child, having regard to the fact that she is a 17 years old girl, this Court should not hesitate to protect the honour and dignity of the girl. Now that the Committee has submitted a report that the girl is carrying a 26



weeks and 1 day old foetus, it is appropriate to permit the termination of the pregnancy by exercising the extraordinary jurisdiction vested in this Court. As a matter of fact, the Apex Court in the case of X v. The Principal Secretary, Health and Family Welfare Department, Government of NCT of Delhi (AIR 2022 SC 4917) had held that forcing a girl, who is a victim of sexual assault to continue with her unwanted pregnancy, would violate her right to life and dignity. Therefore, the petition is allowed.

7. Respondent No.2 is directed to permit the petitioner's daughter to terminate her pregnancy and for this purpose, the respondent No.2 and respondent No.3 shall take all necessary measures to ensure the safe termination of pregnancy of the petitioner's daughter."

4. Learned counsel for the petitioner submits that he has already served the copies of the writ petition on the counsel appearing for respondent No.2 and 3 and this Court passed over the matter to inform the counsel. In spite of the same, there is no representation on behalf of the respondents No.2 and 3.

5. Having heard the counsel for the petitioner and learned AGA for respondent No.1 and 4, perused the material on



record. Considering the fact that the girl is a victim of sexual offence, who is aged about 16 years and odd, and considering the dignity of the girl and the order that is passed in W.P.No.110142/2025 dated 30.12.2025, this Court deems it appropriate to pass the following:

ORDER

- (i) Respondents No. 2 and 3 are directed to constitute a Multidisciplinary Panel of Doctors and they shall examine the girl and find out whether she is fit and able to undergo termination of the pregnancy. This exercise shall be completed within 24 hours from the date of receipt of the copy of the order.
- (ii) Thereafter, as per the report if the pregnancy can be terminated, the respondents shall take immediate steps for the termination of the pregnancy.



(iii) After termination of the pregnancy, the foetus shall be preserved by the respondents No.2 and 3.

(iv) Accordingly, the writ petition is ***disposed off.***

(v) All IAs in this petition stand closed.

Sd/-
JUSTICE LALITHA KANNEGANTI

YAN, BVV
CT: UMD
List No.: 1 Sl No.: 55