

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 4271 OF 2020

NUSRAT SHAIKH JABBAR

V/S.

THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Petitioner: Mr. S. U. Choudhary h/f.
Ms. S. T. Kazi

AGP for Respondent/State: Mr. P. S. Patil

CORAM: S. V. GANGAPURWALA, J.

DATE: 30th MARCH, 2020

PER COURT:

1. The petitioner seeks termination of pregnancy. The petitioner was referred to the expert committee at Government Medical College and Hospital, Aurangabad. The expert committee examined the petitioner and submitted the report. The report reads thus-

"The committee has thoroughly examined Nusarat Shaikh Jabbar and her obstetric Sonographic report. On obstetric ultra-Sonography dated 27-03-2020 done at GMC, Aurangabad. Following findings are noted.

A. Length of Pregnancy: Gestational Age of 21 weeks 01 days.

B. Single live intrauterine fetus with acrania-anencephaly sequence.

Taking into consideration the above findings there is substantial risk to the fetus if born. Hence this committee recommends

termination of pregnancy. This patient has Sinus Tachycardia on ECG. Pregnancy can be terminated at any Government recognized centre of choice of patient with due risk (over and above routine risk which is an acceptable risk). This risk is explained to her and her relatives. An affidavit of the acceptance of the said risk is to be submitted to the Hon. High Court by the concerned."

2. The committee has opined that there is substantial risk to the fetus if born. The committee recommends termination of pregnancy.

3. The risk involved is explained to the petitioner. The learned counsel for the petitioner, on instructions submits that the petitioner is explained of the risk involved in the termination of pregnancy and the petitioner would proceed with termination of pregnancy.

4. The petitioner is permitted to terminate the pregnancy at any Government recognized centre.

5. Authenticated copy be given.

[S. V. GANGAPURWALA, J.]

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