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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 1835/2021

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..... Petitioner

Represented by: Mr.Anwesh Madhukar and Ms.Prachi Nirwan, Advocates with petitioner in person.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Represented by: Ms.Kamna Vohra, Additional Standing Counsel for State/respondent No.1 with SI Saroj Bala, PS Govind Puri.
Mr.V.Shashank Kumar, Advocate for Mr.V.S.R. Krishna, Standing Counsel for All India Institute of Medical Science/respondent No.2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **23.09.2021**

The hearing has been conducted through Physical Mode.

CRL.M.A.15196/2021 (exemption from attested affidavits)

1. Attested affidavits be filed within one week.
2. Application is disposed of.

W.P.(CRL) 1835/2021

1. Issue notice.
2. Ms.Kamna Vohra, learned Additional Standing Counsel for the State accepts notice on behalf of respondent No.1.

3. Notice is also accepted by learned counsel appearing on behalf of Mr.V.S.R. Krishna, learned Standing Counsel for All India Institute of Medical Science (AIIMS)/respondent No.2.
4. The petitioner is an unfortunate victim of rape and pursuant to her complaint FIR No.404/2021 under Section 376 IPC has been registered at PS Govind Puri, Delhi on 23rd June, 2021. The petitioner on coming to know about the pregnancy wishes to get the same medically terminated and in this regard approached the respondent No.2/AIIMS however, since the gestational period was more than 16 weeks her request was turned down.
5. As on today the petitioner has a pregnancy of 20 weeks. Thus immediate action is required to be taken for the enforcement of the right of the petitioner to get her pregnancy terminated.
6. In view of the facts noted hereinabove and in the petition this Court requests the Medical Superintendent, AIIMS to immediately constitute a medical board to examine the petitioner today or latest by tomorrow, i.e. 24th September, 2021 and in case the pregnancy can be terminated safely with no harm to the life of the petitioner the same be carried out expeditiously.
7. The petitioner along with the Investigating Officer is directed to appear before the Medical Superintendent, AIIMS at 2.00 PM today itself for further action.
8. Awaiting the report from the Medical Board, AIIMS, list this petition on 27th September, 2021.
9. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

SEPTEMBER 23, 2021/‘vn’