

News



Reiterating that a woman cannot be coerced into carrying a pregnancy over 30 weeks, the Supreme Court allowed the termination of a 30-week pregnancy in a landmark decision on reproductive rights.

The highest court overturned a Bombay High Court decision that had denied permission for Medical Termination of Pregnancy (MTP) and instead recommended continuing the pregnancy with the option of adoption, highlighting that reproductive liberty surpasses the rights of an unborn child.

The Supreme Court Reaffirms Autonomy in Reproduction "The court cannot compel any woman to complete her pregnancy if she is otherwise not intending to do so," the bench, which was chaired by Justice BV Nagarathna, declared forcefully in favor of the appellant, emphasizing the value of reproductive autonomy. The case included a girl who became pregnant at the age of 17 and is currently 18 years and 4 months along with a 30-week pregnancy.

In addition to pointing out that the child was conceived through a relationship with a friend, the court highlighted that forcing the girl to carry the pregnancy to term would result in serious medical and psychological harm.

The bench reviewed the medical board's conclusions and noted that there was no evidence of a serious risk to the girl from the termination. The Supreme Court decided to give the girl's wishes precedence over the High Court's earlier suggestion that she could give birth and place the child for adoption.

Suggested For You: it's West Bengal Government Employees Will Get A 4% DA Increase: Interim Budget 2026 Takes Social Stigma And Mental Trauma Into Account Given the social shame attached to having an illegitimate child, the girl's attorney contended that forcing her to carry the pregnancy to term would cause "severe mental trauma." The court upheld the need to protect the appellant's rights although acknowledging that the plea had been entered at a late date.

The court stated, "What has to be considered is ultimately the right of the minor child to continue a pregnancy, which is ex-facie illegitimate in as much as she is a minor and has to face this unfortunate situation owing to a relationship that she had " The court went on to clarify the matter's scope, saying, "That is not the issue. In the end, the mother does not choose to have the child and the infant is illegitimate. Emphasis must be placed on the mother's reproductive autonomy. If a woman does not intend to carry her pregnancy to term, the court cannot force her to do so. In the Supreme Court, Mamata Banerjee joins hands and says, "I'm from Bengal, so I can explain better, and ECI is bulldozing." You might also like her. The Court Asks Whose Interest Comes First In granting the appeal, the Supreme Court ordered the appellant to provide written approval prior to the medical termination to take place.

"WHOSE INTEREST DO WE LOOK INTO?"

Justice Nagarathna said throughout the hearing. The mother giving birth or the unborn child?" She added that termination decisions can occasionally take some time. "In many instances, termination occurs in excess of what is allowed by the MTP Act. We won't do it, according to doctors. Where are they going? To quacks and unlicensed physicians," remarked Justice Nagarathana.

The Law's Position on Terminating Pregnancy The Medical Termination of Pregnancy (MTP) Act in India permits a woman to choose to end her pregnancy at any time up to 20 weeks. A medical board's clearance is needed between weeks 20 and 24 to assess if terminating the

pregnancy will endanger the mother's health.

Termination cannot take place after 24 weeks without the consent of the court. The verdict reaffirms the importance of reproductive choice in legal interpretation and demonstrates the court's belief that a woman's choice about her pregnancy must always come first.

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