

'SEX ON FALSE PROMISE OF MARRIAGE IS RAPE'

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The fact that the victim and her rapist have married other people and gone their separate ways will not erase the crime. The rapist would still have to answer for his crime, a Bench of Justices L. Nageswara Rao and M.R. Shah concluded in their recent judgment.

The case concerns the rape of a woman by a government doctor in Chhattisgarh in 2013. The man had engaged in a physical relationship with her at his home on the promise of marrying her. At the time of the crime, he was already engaged to marry another woman. He later broke his promise to the victim.

On the basis of an FIR filed, the man was convicted of rape. The conviction was confirmed by the High Court. He was sentenced to 10 years of rigorous imprisonment. The apex court was appealed to.

In his judgment for the Bench, Justice Shah observed that it was clear from the evidence that the man's intention was to cheat the victim. She would not have consented to the sexual act had he not promised her marriage. "It was a clear case of cheating and deception," the Supreme Court held.

The court said such incidents were on the rise in modern society.

"Rape is the most morally and physically reprehensible crime in a society, an assault on the body, mind and privacy of the victim. While a murderer destroys the physical frame of the victim, a rapist degrades and defiles the soul of a helpless female. Rape reduces a woman to an animal, as it shakes the very core of her life," Justice Shah wrote in the judgment.

The court said rape is the "most hated crime". "It tantamounts to a serious blow to the supreme honour of a woman, and offends both her esteem and dignity," the judgment said.

The mere fact that both the victim and her attacker have married separately and moved on does not erase the horror of what was committed on her. The rapist must face the consequences of the crime.

The court, however, reduced his sentence to seven years' imprisonment.

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