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Law of Crimes II. Sem II

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In the category of offences against women rape is of most heinous kind. It has been defined under section 375 IPC. Looking to instances of rape in India and particularly after Delhi Rape Case in view of recommendations of Justice Verma Committee Report major amendments are made in laws relating to rape vide Criminal Law Amendment Act 2013.to make the law more stringent.

Following are the important ingredients of rape as defined under section 375 IPC

A man is said to commit rape who has sexual intercourse with a woman,

1. Against her will
2. Without her consent
3. With her consent when her consent has been obtained by putting her in fear of death or of fear.
4. With her consent, when the man knows that he is not her husband, her consent is given because she believes herself to be lawfully married
5. With her consent , at the time of giving her consent by reason of unsoundness of mind or intoxication she is unable to understand the nature of consequences to which she gives consent
6. With or without consent when she is under 16 years of age

For the offences of custodial rapes and gang rape law is much stringent with enhanced punishment keeping in mind the gravity of offense.

Take care students

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