

## **“Law Relating to Protection of Women against the Offence of Rape in India: A Critical Analysis with respect to Role of Judiciary”**

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### **Abstract**

All over the globe, women are subjected to violence and other kinds of crime. There are numerous types of offences against the women and they are considered as one of the most vulnerable section of the society. One such atrocious crime against the women is “Rape”. It is a criminal offence that is perpetrated not only against a woman, but against the humanity too. It completely destabilizes a woman's mind and puts her in considerable psychological trauma. It places a person in such a terrifying and traumatic environment that it is difficult for them to escape. It is a violation of fundamental human rights. It is the highest kind of violation of the modesty of women. It's a humiliating and terrible experience in a woman's life that leaves her fearful of her own existence and powerless. Women, who account for half of the global population, have been prejudiced upon, mistreated, and abused irrespective of their country of origin, religion, etc.

Women face numerous problems all throughout the world. They are susceptible to physical, sexual, and psychological abuse to varying degrees in all communities, regardless of income, class, or culture. There is no single definition for rape because it can sometimes defy all the boundaries that a person can imagine. The rising number of rape cases in India raises concerns about women's safety in the country. In India, there isn't a single day that goes by without a rape case being heard. Through this research proposal, the researcher attempted to comprehend the laws available in our country to protect the women against rape. In addition, the researcher has reviewed decided cases laws in order to have a better understanding of how courts deal with such a heinous atrocity against one of the most vulnerable section of the society, women. The argument of the researcher is that the women in our country requires a safe space free from sexual violence and those offenders who tries to rape or sexually assault women should be punished strictly.

### **Introduction**

*“The day a woman can walk freely on the roads at night, that day we can say that India has achieved independence”  
– Mahatma Gandhi.*

Rape is one of the most heinous atrocities perpetrated by one human on another. It is a reflection of a violent culture that sanctions and justifies the brutalization of women and children through gender stereotypes and other forms of oppression. While sexual violence predates any statute or cultural group, how societal systems respond to or overlook rape

speaks volumes about bigger standards. Survivors of sexual violence repeatedly attest to the one-of-a-kind and traumatic nature of rape.<sup>1</sup>

Their stories and eloquence highlight the devastating impact of sexual assault on their lives. As is likely the case following every major act of violence against women and children, many people wanted punishment in the form of the death penalty. This principle was reaffirmed in the 2013 and 2018 Criminal Law Amendment Acts, which included capital punishment for rape of women and children, as well as a slew of other new legislation.

Referring to the pitiable condition of women in society Mr. Justice S. Ahmad observed that “unfortunately, a woman in our country, belongs to a class or group of society who are in a disadvantaged position on account of several social barriers and impediments and have therefore, been victims of tyranny at the hands of men with whom they, unfortunately, under the Constitution “enjoy, equal status”<sup>2</sup>

Rape in India is defined under Section 375<sup>3</sup>. It is having forceful sexual intercourse with the women. The consent of the women is not obtained and if it is obtained, it is not a valid consent i.e., it is based on coercion, fraud or due to the inability of the women to form a rational decision. In Criminal law, the unlawful carnal knowledge of a woman by a man forcibly and against her will is termed as rape.<sup>4</sup>

In 2020, there were 77 rape cases recorded every day on average across India, for a total of 28,046 such crimes. According to NCRB data for the year, which saw the COVID-19 outbreak and pandemic-induced lockdowns, there were 28,046 occurrences of rape involving 28,153 victims out of the total cases of crimes against women in 2020<sup>5</sup>.

### **Review of literature**

Ratanlal and Dhirajlal, The Indian Penal Code (34<sup>th</sup> Ed., 2014), the provisions of the Penal Code have primarily been taught through case law and illustrations. This book has been a lifesaver in terms of dispelling any uncertainties and gaining a firm grasp on the principles. The book's contents have been thoroughly researched and cited using running footnotes, which provide an overview of the material cited. The book mostly focuses on explanations and examples connected to the Penal Code, but it does provide references to other statutes to help the reader understand the topic.

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<sup>1</sup> Anuradha Koneru, *Judicial Activism in Protection and Promotion of Women in India with Special Reference to Indian Conditions*, LEGAL SERVICE INDIA (Last visited: Oct 14, 2021), <https://www.legalserviceindia.com/legal/article116-judicial-activism-in-protection-and-promotion-of-women-in-india-with-special-reference-to-indianconstitution.html>.

<sup>2</sup> Bodhisattwa Gautam vs. Subhra Chakraborty 1 SCC 490, 502 (SC: 1996)

<sup>3</sup> Indian Penal Code, 1860

<sup>4</sup> Henry Campbell Black, M.A., *Black's Law Dictionary*, Page no 1427

<sup>5</sup> Priyanka, *On Average 80 Murders, 77 Rape Cases in India Daily in 2020: NCRB Report*, INDIA.COM (Last visited: Oct. 16, 2021), <https://www.india.com/news/india/crime-news-80-murders-77-rape-cases-on-average-daily-in-india-in-2020-ncrb-report-top-points-4961460/>.

K.N.C Pillai, *General Principles of Criminal Law* (2<sup>nd</sup> ed. 2011), this book is a must read for a better understanding of Indian Penal Code. The book has its chief advantage in the way the case laws has been dealt with. All the concepts have been explained with facts and ratios of land mark cases. The book helped the author in framing the facts and judgments of various cases and also the book offered a case law based approach to understand the provisions related to rape.

Ahmad Siddique's, *Criminology Penology and Victimology* (7<sup>th</sup> ed. 2016), the main subject covered in this book is Criminology and Penology, because of which this book doesn't refers much to the Indian Penal Code. But the fluidity of language of the book and the flow of concepts has been drafted in way so as to grip the reader. The book has helped the author in understanding the penal provisions and the theories at which the provisions are based. Along with the theories, the book offers niche insight into the victim side of the story and the gravity of the offence.

Dr. S.C Tripathy, *Law Relating to Women And Children* (6<sup>th</sup> ed. 2015), this book profoundly circumscribes all the important laws relating to women and children. The major drawback of the book is the sequencing of topics, because of which reading the book consumed more time than expected. But the book helped the author in framing the important headings of the project and offered a good deal of ancillary laws in order to make the author to understand the concerned concept with utmost clarity. Also, the book has been the main source of knowledge for provisions relating to statutory rape.

(Rufus, 2014) in this book, the author describes how "crime against women" has become a "silent pandemic," with increasing reports of rape, abuse, and sexual violence on university campuses, when commuting, and in the office. (Dipa Dube, 2006) This paper examines rape as one of the most heinous and cruel crimes committed upon females.

(Krishnaswami, Bail, and Kothari) reviewed the Justice Verma Committee report, which was constituted to look into the law relating to sexual violence in the country and submitted its findings on January 23, 2013. This research, which proposes legislative reform as a cure for major deficiencies in our empirical knowledge of the concept of crime and the criminal procedure in India, echoes the official administrative perspective.

Women's crimes, including rape, are a widespread issue, according to (Kamla Bhasin, 2016). It has a complicated aetiology, and the symptoms vary widely depending on the time, place, and person. It also differs with historical periods, lifestyles, financial environment, and social views that attribute to rape: the sex instinct has been a very potent motive since the dawn of time.

A study prepared by (Ajinkya Deshmukh, 2020) sheds light on the real reasons why rape occurs, as well as a few notable rape cases in India that have influenced the growth of Sexual Offences Laws. It describes Aruna Shanbaug's historic rape case, in which she suffered brain injuries, was disabled for the remainder of her life, and died 42 years after the horrific act was

performed on her. The Supreme Court, on the other hand, ruled that the forced anal course was not rape.

### **Research Objectives**

1. To ascertain the approach of Indian judiciary in granting punishment to the rape accused and protection to the rape victims.
2. To ascertain the laws in force in India and their influence on rape victim's protection and rehabilitation.
3. To put some suggestions forward in order to protect the women from the offence of rape.

### **Research questions**

1. Whether country's current legal provisions and penalties are appropriate to deal with the offence of rape?
2. What is the judicial approach toward the victims of rape?
3. Does Marital rape need to be included in the ambit of Rape and hence be criminalised?

### **Research methodology**

The research proposal employs doctrinal research techniques to critically assess the Indian legislative framework, including laws, regulations, the function of the Indian judiciary, and the social impact on victim's life. The researcher analysed numerous Supreme Court of India and High Court judgements on rape offences in order to conduct the study. To conduct this study, the researcher consulted a number of books, articles, newspapers, magazines, law journals, National Crime Records Bureau records on rape, and internet websites related to rape victim protection and rehabilitation in India.

### **Rape**

Under this heading the researcher has defined the meaning of the term Rape. The word has been derived from Latin word "rapio", which means to seize.<sup>6</sup> In its most basic form, rape is defined as "the ravishment of a woman without her consent, by force, terror, or fraud," or "carnal knowledge of a woman, by force against her will."<sup>7</sup> The case of *State of Uttar Pradesh v. Babulnath*<sup>8</sup>, has been used to put forward the observation of the Supreme Court which plays a significant role in describing what constitutes as an offence of rape.

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<sup>6</sup> Dr. Chandra Sen Pratap Singh, *The laws on rape and sexual crimes*, LUCKNOW UNIVERSITY (Last visited: Oct 14, 2021),

<https://www.lkouniv.ac.in/site/writereaddata/siteContent/202005151744272048Chandra%20Sen%20Pratap%20Singh-The%20laws%20on%20rape%20and%20sexual%20crimes.pdf>

<sup>7</sup> Soumya Singh Chauhan, *Analysis of provisions relating to Rape*, ACADEMIKE (Last visited: Oct 16, 2021), <https://www.lawctopus.com/academike/section-375-analysis-of-provisions-relating-to-rape/>.

<sup>8</sup> (1994) 6 SCC 29.

This chapter also deals with the reason for increasing the rate of crime against women and the same is analysed. The rise in rape cases not only threatens to obliterate moral principles, but also calls into doubt the effectiveness of existing rape laws. It's compounded by the terrible fact that modern India's control system has failed, resulting in an increase in the intensity and frequency of violence against women.

The researcher has discussed about the various sociological, physiological, psychological problems faced by a female victim after rape. Social stigma, fear of public judgment, ostracism, and emotional suffering all affect rape victims. She rarely receives moral support from her relatives, friends, and neighbours, who mistakenly believe that interacting with her will harm their social standing. As a result, the alarming rise in violent crimes against women necessitates a re-examination of the legal system.

### **Statistics**

This chapter deals with the facts and figures reported by the National Crime Record Bureau, which functions under the Union home ministry in relation to the cases of crime against women in India. A total of 371,503 cases of crime against women were reported across the country last year in comparison to 405,326 in 2019 and 378,236 in 2018. The report provided by NCRB, analyses the data of various states across India and compares it. The report shows that there has been decrease of 8.3% in the year 2020 when compared to 2019 in cases of crime against women, even though nearly 77 rape cases were reported across the country on an average every day that year. Among states and Union territories, Uttar Pradesh topped the list with maximum number (49,385) of such cases. This data of crimes against women includes cases of rape, outraging modesty, dowry deaths and harassment, acid attacks and kidnapping.

Of the total cases of crimes against women during the Covid pandemic-induced lockdown, there were 28,046 incidents of rape which constitute 7.2% of total number of cases. With 5,310 cases, Rajasthan reported the maximum number of rapes in 2020.<sup>9</sup>

### **Provisions regarding rape laws in India**

This chapter deals with legal provisions that are there in India to deal with the atrocious crime of rape. The researcher has discussed about Section 375 and Section 376 of Indian Penal Code, 1860 in detail.

Section 375 describes the offence of rape, where a male is said to have committed rape when sexual intercourse with a woman occurred under any of the following circumstances:

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<sup>9</sup> Sachin Saini, Shruti Tomar, Divya Chandrababu, *8.3% dip in crimes against women in 2021: NCRB report*, Hindustan Times (Last visited: Sep 16, 2021), <https://www.hindustantimes.com/india-news/83-dip-in-crimes-against-women-in-2020-ncrb-report-101631730781414.html>

1. In disregard of her will
2. Without first gaining her permission
3. When consent is gained, it must not be procured by placing the person in danger of death.
4. When consent was illegally acquired by assuring her to be her spouse in the future.
5. When the consent is granted by someone who is mentally ill, inebriated, or unable to comprehend the essence of the consent.
6. With or without her assent, when a girl is under the age of 16.

The researcher has also discussed Exception 2 of Section 375<sup>10</sup> briefly, which explicitly decriminalises marital rape. The provision states that if the wife is above 15 years of age and the husband commits any sexual act with her even without her consent, it will not be treated as rape. The researcher feels that it needs to be changed as a rape shall be treated as rape irrespective of the person doing it. Marriage does not give a license to a husband to rape his wife.

The researcher has made an elaborate discussion on Section 376 which specifies the punishment for rape. Various penalty provisions as per the 2018 Amendment has also been discussed under this chapter.

Section 376(1)- the minimum sentence for rape of women under has been increased from seven to ten years following the 2018 modification.

Section 376(3)- It includes a penalty for rape on a lady under the age of sixteen. In such a case, the minimum sentence should be twenty years in prison, with the possibility of life imprisonment.

Section 376A- specifies the penalty in the event of death for victims who remain in a vegetative condition for an extended period of time as 20 years rigorous imprisonment or life imprisonment or with death.<sup>11</sup>

Section 376AB- The penalty for rape of a lady under the age of 12 is stated as minimum of twenty years of solitary confinement, with the possibility of life imprisonment. In such a circumstance, the criminal might face the capital penalty.

Section 376B- The punishment for sexual intercourse by a husband upon his wife during separation is punishable with imprisonment to a term of minimum two years and maximum seven years and also with fine.

Section 376C- It states the punishment for sexual intercourse by a person in authority, which is imprisonment for minimum five years and maximum ten years and also liable for fine.

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<sup>10</sup> Indian Penal Code, 1860

<sup>11</sup> Sumant Mehta, *The alarming Rise of Rape Culture in India*, LIBERTATEM MAGAZINE (Last visited: Oct. 17, 2021), <https://libertatem.in/blog/the-alarming-rise-of-rape-culture-in-india/>

Section 376D- It states the offence of Gang rape and the punishment given for that is imprisonment for life and with fine, which is paid to the victim so that she can meet her medical expenses.

Section 376DA- It deals with the penalties for gang rape on women under the age of 16 where punishment is life imprisonment.

Section 376DB- It deals with the penalties for gang rape on women who is under 12 years. In such circumstances, the punishment must be imprisonment for life or fine. Death sentence may also be imposed.<sup>12</sup>

Section 376E- It deals with the repeated offender and the punishment is imprisonment for life or death.

The “Criminal Law (Amendment) Act, 2013”, which created the Nirbhaya Fund, was passed to rectify inadequacies in the law dealing with sexual offences against women and children.<sup>13</sup> The Central Victim Compensation Fund Scheme was established by the Central Government through a notification issued by the Ministry of Home Affairs on October 14, 2015.<sup>14</sup>

### **Justice Verma Committee Report**

This chapter discusses the various recommendations and suggestions that was put forward by the report of Justice Verma Committee which was constituted on December 23, 2012, in order to view into the possible amendments in the legal provisions related to criminal law with respect to sexual violence against women.

According to the committee, rape is more than just a simple fulfilment of desire, thus it should not be restricted to penetration of the anus, vagina, or mouth. Any un-consensual intercourse must be considered rape. The committee also recommended for including Marital Rape under the ambit of Rape as an offence. Because being married does not automatically imply permission to sexual conduct, the committee proposed criminalising marital rape.

The Committee rejected the proposal for chemical castration as it fails to treat the social foundations of rape. It opined that death penalty should not be awarded for the offence of rape as there was considerable evidence that death penalty was not a deterrence to serious crimes. It recommended life imprisonment for rape.

Various reforms given by the committee in cases related to crime against women has also been covered under this chapter. Like installing of CCTVs in police stations, filing of FIRs

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<sup>12</sup> Pamini Kaser, *A Historical Analysis of Rape Laws in India*, SSRN (Last visited: Oct. 17, 2021), <https://ssrn.com/abstract=3619807>

<sup>13</sup> Md. Tasnimul Hassan, *The case for compensation to rape victims*, SCC ONLINE (Last visited: Oct 15, 2021), [https://www.sconline.com/blog/post/2021/06/16/compensation-to-rape-victims/#\\_ftn30](https://www.sconline.com/blog/post/2021/06/16/compensation-to-rape-victims/#_ftn30)

<sup>14</sup> Central Victim Compensation Fund Scheme Guidelines, (Last Visited: Oct.17, 2021), [https://www.mha.gov.in/sites/default/files/CVCFFuideliness\\_141015\\_1\\_0.pdf](https://www.mha.gov.in/sites/default/files/CVCFFuideliness_141015_1_0.pdf)

online by the complainants, training the police to deal with sexual offences appropriately etc.<sup>15</sup>

### **Judicial Approach**

Judiciary plays a very crucial role in protecting the rights of the citizen. This chapter covers various decisions given by the Supreme courts and high courts in relation to Rape cases. A variety of perspective has been given by the judiciary in this regard and a thorough observation of these judgments is necessary in order to understand the judicial approach.

*Tukaram v. State of Maharastra*<sup>16</sup> is a significant instance to evaluate from the perspective of social reform since it is the first case in which a national outrage resulted in modifications to the existing law as a result of the resistance. However, the Indian Supreme Court dismissed the case, stating that – “*Mathura’s body bore no outwards sign of rape*”.

The courts in many of the cases have ordered that the victim of rape be paid compensation.

In *State of Maharashtra v. Madhuker*<sup>17</sup>, SC held, “*Even a woman of easy virtue is entitled to privacy and no one can invade her privacy as and when he likes. So also it is not open to any and every person to violate her person as and when he wishes. She is entitled to protect her person if there is an attempt to violate it against her wish. She is equally entitled to protection of law. Therefore, merely because she is woman of easy virtue her evidence cannot be thrown overboard.*”

In *The Chairman, Railway Board v. Chandrima Das*<sup>18</sup>, according to the Hon'ble Court, rape is more than a breach of a person's ordinary rights; it is also a violation of a person's fundamental rights. Rape is both a crime against society and a crime against a woman's person. It is a violation of the victims' most prized right to life, which includes the right to live in dignity as defined in Article 21.

In *State v. Mohd Habib*<sup>19</sup>, the Delhi High Court let a rapist go without any punishment simply because there were no indications of harm on his penis, which the court assumed meant the victim didn't struggle.

In *Tulshidas Kanolkar v State of Goa*,<sup>20</sup> a mentally challenged girl was raped many times and became pregnant as a result. The Supreme Court ruled that a mentally challenged girl's consent is invalid.

In *State of Rajasthan v. Madan Singh*<sup>21</sup>, The SC ruled that in a rape case, the severity of the sentence cannot be determined by the victim's or accused's socioeconomic level. It must be determined by the accused's actions, the victim's age, and the seriousness of the offence.

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<sup>15</sup> *Justice Verma Committee Report Summary*, PRS Legal Research, (Last Visited: Oct 17, 2021), <https://prsindia.org/policy/report-summaries/justice-verma-committee-report-summary>

<sup>16</sup> AIR 1979 SC 185.

<sup>17</sup> JT (1990) 4 SC 169.

<sup>18</sup> (2000) 2 SCC 465.

<sup>19</sup> (1988) DLT 170.

<sup>20</sup> AIR 2004 SC 978.



In *Nirbhaya Rape Case* the court upheld death penalty to the rapists.<sup>22</sup>

In *Nasir Uddin Ali v. The State of Assam and Anr.*<sup>23</sup>, while dismissing the appeal against conviction, Justice Rumi Kumari Phukan observed: "... The Courts are sensitized that rape is a violation of victim's fundamental right under Article 21 of the Constitution and rape victim is placed on a higher pedestal than an injured witness. Being the most hatred crime, rape tantamount to a serious blow to the supreme honour of a woman and is a crime against the entire society as well."

In a recent landmark judgment<sup>24</sup>, Kerala High Court had upheld that although marital rape is not penalised but it is considered as a good ground to claim divorce. A Division Bench of Justice A. Muhamed Mustaque and Justice Kauser Edappagath while empathizing with the situation of the woman observed that "*a husband's licentious disposition disregarding the autonomy of the wife is marital rape, albeit such conduct cannot be penalised, it falls in the frame of physical and mental cruelty.*"<sup>25</sup>

In *Dilip Pandey and Ors. v. State of Chhattisgarh*<sup>26</sup>, the Chattisgarh HC cleared a man of the offence of marital rape after stating that "Sexual intercourse or sexual act by a man with his own wife, the wife not being under eighteen years of age, is not rape... even if it was by force or against her wish."

### **Critical analysis**

Under this chapter, the role of judiciary has been critically analysed by the researcher. The judicial treatment of the various types of rape is reflected in the Courts' rulings from time to time. Though the Courts occasionally articulate broad policy principles, a review of the aforementioned instances reveals that no uniform policy is followed by all of the Courts. The judicial attitude has become more pragmatic over time, yet procedural formalities protect the accused, giving him the benefit of the doubt, and the anguish and ordeal of the rape victim is often neglected as a result.

The researcher has also discussed the various roadblocks that are present in providing justice in rape cases. The low quality of investigations due to gender disparity, bribery, regional police incompetence, is one of the greatest roadblocks to providing justice in rape cases. Other major impediments include denial by the police to file complaints in number of cases

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<sup>21</sup> Appeal (crl.) 234 of 2008.

<sup>22</sup> Soibam Rocky Singh, *Nirbhaya Case; Delayed execution of convicts* (Last visited: Oct 19, 2021), <https://www.thehindu.com/news/cities/Delhi/delayed-execution/article31077434.ece>

<sup>23</sup> CrI.A. 227/2016

<sup>24</sup> Decided on 30<sup>th</sup> July 2021.

<sup>25</sup> Hannah M Varghese, *Husband's Licentious Disposition Disregarding Autonomy Of Wife Is Marital Rape': Kerala High Court Upholds Marital Rape As Valid Ground To Claim Divorce*, LiveLaw (Last visited: Oct 19, 2021), <https://www.livelaw.in/top-stories/kerala-high-court-upholds-marital-rape-as-a-ground-for-divorce-under-cruelty-179010>

<sup>26</sup> Decided on 25 August 2021.

or filing of inaccurate details by them, profusion of corroboration of survivor and the accused, the victims are not sent for a prompt medical assessment, the way certain courts have read the law or weighed the evidence. Despite Supreme Court rulings to the contrary, lower court judges frequently require proof of physical resistance or injury marks to determine whether a woman has consented. The testimony of a woman without supporting evidence is not considered sufficient.

The researcher has also briefly talked about the need for criminalising Marital rape. Husband shall be liable for the crime if there is forceful sexual intercourse with his wife and without her consent. Due to the lack of any legal framework in this regard, there is difference of opinion of different courts. As marital rape is a crime against the sexual autonomy and bodily integrity of the wife, therefore, judiciary and the legislature need to work in this area to protect the women against such non-criminalised crime.

The way the executive continues to fail the victims is both astounding and crucial. The judiciary's presence and role in keeping them in line is greatly emphasised. Victims will suffer if the courts are slow to act, and proper justice will be denied. And, we will undoubtedly see more incidents of outrageous injustice.

### **Expected Outcome and suggestions**

This chapter talks about the expected outcome and suggestions as put forward by the researcher. The legislature and the judiciary are considered to be one of the four pillars of a democratic country. In order to protect the people, they need to efficiently work together. Women are considered to be one of the most vulnerable section of the society, therefore in addition to legislative framework, a gender sensitive approach of judiciary is also needed to protect them from heinous offences like rape and other such atrocities. Women have the right to equality under Article 14 of the Indian Constitution. Therefore, in order to provide equal status to women in true sense, a country with its robust judicial mechanism shall strive toward safeguarding them from offence like Rape and other sexual offences. Rape affects the women morally, physically, psychologically and financially too. It shakes the existence of a woman. It also affects the fundamental right of a woman under Article 21 to live with dignity.

The judiciary plays an important role in resolving rape cases. They have a responsibility to not rely solely on the law when making such important decisions, but to allow for some flexibility. The “ratio decendi” laid down by a judge becomes a rule and acts as an essential element in law making. Judiciary also plays a vital role in law making. The judicial system has endeavoured to narrow the distance between the fast pace of change in societal structure and the strict norms that govern it. But a lot more needs to be done.

Marital rape which is an un-criminalised crime has not been penalised yet. Discriminating the women on the basis of their marital status in case of rape is not based on rational classification. Judiciary and legislature need to strengthen the status of married women.

Laws and penalties acts a strong message regarding the kind of society people wants to live in, that is, a society free from rape and where everyone's dignity, sexual autonomy and bodily

integrity are respected. Victim blaming and gender stereotype in legal proceedings needs to be addressed.

Not just the legislature and the judiciary, but each and every member of the society shall act toward eliminating the brutal offence of RAPE. It is the duty of everyone to make the environment safer and more comfortable for women. The police and judiciary shall have more gender sensitive approach towards the women. Families should educate their children and inculcate moral values in them from the very initial stage. Rape shall not be considered a crime just against the women, rather it must be seen as a crime against the society.

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