

## Delhi court orders trial against woman for false rape claim

The evil of perjury has assumed alarming proportions in cases depending upon oral evidence and therefore, the time has come to deal with this menace with an iron hand," said additional sessions judge Virender Bhat.

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The Court said the evil of perjury has assumed alarming proportions in cases depending upon oral evidence and therefore, the time has come to deal with this menace with an iron hand.(HT File)

A Delhi court Thursday ordered a woman to stand trial for lying under oath to implicate a friend in a false case of rape, saying it was time the “evil of perjury” was dealt with an iron hand.

Acquitting the west Delhi resident, the court said the complainant’s testimony was unreliable and contradictory and it would be failing in its duty if proceedings were not initiated against the woman for fabricating evidence.

“The evil of perjury has assumed alarming proportions in cases depending upon oral evidence and therefore, the time has come to deal with this menace with an iron hand,” said additional sessions judge Virender Bhat.

Unlike in other cases, a rape accused can be convicted on the oral testimony of a complainant in the absence of other proof if the court finds her story credible. The provision is among the many introduced in the more stringent law drawn up after the 2012 Delhi gang rape.

The 35-year-old beauty salon employee, who is a widow and mother of one, had filed the rape case in October 2014. She told police that the man had borrowed Rs 7 lakh and had called her to a farm in the outskirts of Delhi to return the money.

Instead of giving back the money, he served her a tea spiked with sedatives and raped her, the FIR said.

But, in a statement to the magistrate, the woman said she had entrusted the man, a friend of seven years, with the money to help her buy a house.

A statement made in front of a magistrate is admissible in court.

Noting the inconsistencies, the judge said given the woman’s earning capacity, it was not believable that she could have saved that amount of money.

The woman’s case had fallen flat in the face of inconsistencies, he said.

“This court would be failing in its duty if appropriate proceedings are not initiated against the prosecutrix for fabricating false evidence against the accused,” the judge said.

The court said the woman seemed intoxicated when police found her. Referring to the forensic report, the court said no sedatives were found in the woman’s system and questioned why she accepted tea from a person with whom she had “acrimonious” relations.

“The condition in which PW7 and PW10 (first policemen on the scene) discovered the prosecutrix... indicates that she was sitting somewhere and was consuming liquor and no such incident as mentioned by her had taken place,” the court said.

Delhi that has gained notoriety as the rape capital of the country reported 1,813 rape cases in 2014, up from 1,441 a year earlier.

But, in recent times, courts have found cases are also lodged to frame innocent persons for various reasons, including extortion. Cases are also filed after a failed relationship where a man refuses to marry a woman. In a 2014 report, the Delhi Commission of Women said more than half of the rape cases filed between April 2013 and July 2014 were found to be false.

<https://www.hindustantimes.com/delhi/delhi-court-orders-trial-against-woman-for-false-rape-claim/story-nuDZ2FARdKlw9OlPNx20KM.html>