

Delhi HC summons rape ‘victim’ for false accusation

[Abhinav Garg](#) | TNN | May 18, 2015, 01.51 AM IST

NEW DELHI: A woman who first levelled rape allegations only to later claim that she did it under the influence of alcohol is now in the dock.

The Delhi high court has asked the “victim” of rape to now appear before it, even as it granted interim protection from arrest to the accused.

Justice Sunita Gupta granted anticipatory bail to one Yogesh Kumar, who is accused of raping the woman on the pretext of getting her a government job. The court took into account a statement given to the court and to police by the alleged victim that she was inebriated when she initially complained of rape to police.

While protecting Kumar, the court also decided to summon the woman to explain why she changed her stand from the complaint given to police.

Appearing for Kumar, advocate Vijay Aggarwal said his client is a victim of misuse of the rape law and the status report filed by police reflects how the complainant changed her stand.

According to the FIR, the woman claimed she was in search of a job and in November last year her friend Mukesh introduced her to Kumar, a government employee. On November 26, according to the complaint, the victim was called by Kumar to his office in Rohini.

When she reached there with Mukesh, she was offered alcohol and on refusal, she was made to drink a soft drink laced with sedatives. The FIR stated that she became drowsy after which Kumar sent Mukesh out and raped her.

Later, when police registered an FIR and produced her before a magistrate to record her statement under Section 164 CrPC, the woman repeated her allegation but failed to specify she was raped or subjected to sexual abuse. She only said Kumar forced her to drink alcohol and when she was back to her senses she was without clothes.

Even as police launched a hunt to nab the accused and began investigations, the woman shifted her stand, moving an application in court to reveal that sex with Kumar was a consensual one and police were called under influence of alcohol.

A shocked magistrate then asked her to approach the Delhi high court and seek quashing of the FIR against Kumar on this ground.

<http://timesofindia.indiatimes.com//city/delhi/Delhi-HC-summons-rape-victim-for-false-accusation/articleshow/47322263.cms>