


Madhya Pradesh Court Orders 10-Years Jail To Woman, Son-in-Law For Filing False Gang Rape Case

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This is one of the first critical steps taken by any court with regards to the menace of false rape cases by women in India. A sessions court in Madhya Pradesh's Ashok Nagar district has sentenced a woman and her son-in-law to 10-years in jail for filing a false gang-rape complaint in 2014, based on which police had arrested four persons.

Unless such strict convictions are not put in place, there is no deterrent for women to file false rape/gang-rape cases.

Case:

Ashok Nagar is a district 150kms away from Bhopal, Madhya Pradesh. According to Additional district prosecutor *Mohammad Azam* of Ashok Nagar district, the woman (**Guddi Ojha**) and her son-in-law (**Gopal Rajak**) were in a relationship and decided to frame their four neighbours in 2014 because she did not get along with them.

Medical reports pointed at 'rape', so the complainant's clothes and swabs were collected for investigation, said sources. However, swabs taken from the woman didn't match the DNA of any of the accused. Further investigation led cops to ask the woman's son-in-law to give his sample for a DNA test. The same matched. During questioning, he confessed to being sexually involved with his mother-in-law.

The four neighbours called out the woman's bluff during investigations into the First Information Report (FIR) registered on her statement in August 2014 when they persuaded investigators to carry out a DNA test to compare the semen sample from the woman's clothes with that of her son-in-law.

The complainant and her son-in-law admitted to implicating four of their neighbours in a false case because of a dispute over installation of a new hand pump.

Sessions Court, Ashok Nagar District

Ashok Nagar's first additional sessions judge **Mahesh Kumar Chauhan** on Wednesday sentenced Guddi Ojha and her son-in-law Gopal Rajak to serve 10-years in prison for fabricating evidence to secure a conviction and criminal conspiracy, 6-months jail for giving false information to a public servant.

Public prosecutor *Jafar Qureshi* said this was a rare case where the police charged a woman for filing a false case and fabricating evidence and pursued the case to its logical conclusion. Qureshi said,

In August 2014, the woman, who lost her husband in 2011, filed a complaint that she was gang-raped by four people who lived in her neighbourhood. Police arrested the accused after lodging the FIR under section 376 D.

The medical report of the woman confirmed rape and her clothes and vaginal swab were taken for further investigation.

The defence lawyer was not available for comments, reported *Hindustan Times*.

The accused, however, insisted they were innocent and approached senior Ashok Nagar police officer to seek a DNA test to establish the truth. Qureshi added,

The test report revealed that the woman was not raped by any of the four but by some other person. Gopal Rajak's sample matched with the sperm samples collected from the woman's clothes.

Subsequently, Gopal Rajak was arrested.

Police officer *VP Singh Jat*, who investigated the case, said,

During interrogation, Gopal Rajak confessed that he was in a relationship with Guddi and they filed a false case to implicate their neighbours, who used to fight with Guddi and Gopal on trivial issues.

The officer recalled how this was a closely-watched case in the district by politicians and activists, and how this took a stunning turn. He said,

It was a serious case as the woman alleged that the four accused barged into her house and raped her in the night.

During investigations, we also found many witnesses who said the four accused were not present at the same place together but it was DNA test which conclusively exposed the fraud.... We are happy that we succeed in punishing the woman and the man for abusing the law.
