



"Section 375: Unveiling The Dark Realities Of Rape Cases And Legal Dilemmas"

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"Section 375" stands out as a shining example of thought-provoking narrative in the world of Indian cinema, where enjoyment frequently takes precedence over social commentary. Ajay Bahl's legal drama from 2019 tackles the delicate subject of sexual assault and consent while delving deeply into the complexity of the Indian legal system. The movie bravely confronts complex issues, questioning cultural conventions and the very nature of justice in a setting where such subjects are frequently swept under the rug. In addition, the movie deftly draws attention to the difficulties encountered by sexual assault victims when dealing with the Indian legal system. It throws light on the victim-blaming mindset that is pervasive in society, where victims' veracity and character are frequently questioned, further complicating an already complex situation. Rahul Bhat's portrayal of renowned film director Rohan Ravi Khurana serves as the central theme of the narrative. After being accused of raping a young costume designer named Anjali Vasudev Dangle (played by Meera Chopra), he is imprisoned and found guilty by the Sessions Court. The entire movie is a gripping courtroom drama with the usual suspects of obvious police incompetence, the defense's claims of a consensual relationship gone wrong, and the victim filing a complaint out of retaliation, and also the difficulties the legal system encounters when handling cases of sexual assault. Hiral Gandhi, played by Richa Chadda, is assigned to represent the prosecution while Tarun Saluja, played by Akshaye Khanna, represents Rohan's defense. Based on forensic evidence such as fingernail scrapings, the presence of semen and pubic hair in Dangle's private areas that matched Khurana's, and other factors, a sessions court has already found Khurana guilty. The legal dispute, with a particular emphasis on Section 375 of the Indian Penal Code, which addresses rape, is the movie's core premise.

The main crime mentioned in the film is rape. This accusation is the main subject of the court procedures, which also explore the difficulties of obtaining consent, deceiving witnesses, and meeting the burden of proof in rape cases. According to Section 375 of the Indian Penal Code, rape is defined as engaging in sexual activity with a woman against her will or permission. The definition of the word "consent" in the act is quite explicit, and it should be obvious when given. Even though consent was gained, it shouldn't have been by deception, fraud, or error. The consent given when intoxicated or unsound is likewise regarded as invalid. Consent obtained by putting a person of interest under fear of death, cannot be termed as valid consent. Rohan was found guilty in accordance with Sections 340 and 354 of the IPC as well as Section 375. Wrongful detention is covered by Section 340, while unlawful force used against a woman with the intention of insulting her modesty is covered by Section 354. Rohan was correctly found guilty of each of these offences, and each ingredient of each offence was present. The IPC makes it very clear that consent must always be obtained before engaging in sexual activity. It was evident from the face of the facts that rape had occurred. Without her permission, he forcefully engaged in sexual activity with her. He was found guilty of all the charges that were made against him. As there was touching of a sexual nature that was done without consent and with the purpose to touch, there was sexual assault present. He wrongfully kept her inside his home and forbade her from leaving a limited area, beyond which she had a right to go. He

was found guilty in accordance with Sections 376, 342, and 354, which, respectively, deal with rape, wrongful restraint, and sexual assault. Each of these people received a fine or a jail term as punishment. The minimum sentence for rape is seven years in prison, although it can go up to life in prison. A fine is also required. In addition, there are several punishments dependent on the seriousness and type of the offence. In the movie, he was sentenced to 10 years of rigorous imprisonment, which is in accordance with Section 376 of the IPC. The movie, while showing the proceedings of the High Court provides general lawful information that according to present guidelines, only lady police can register an FIR in the cases of sexual assault and rape. The movie also informs about Section 166A of CrPC according to which, the police are legally bound to register an FIR. We also got to know about Section 193 of IPC which provides for punishment against producing false evidence in the court of law. Despite their doubts about the case's merits, the judges were forced to consider it because of the overwhelming public outcry against dismissing it. A decision to decide against the Respondent would have also impacted their professional life. Thus, the High Court maintained the Sessions Court's decision by applying the literal rule of interpretation. All of these provisions are legally applicable if the acts undertaken were not consenting.

The situation starts changing as the defense starts cross-examining the witnesses in greater detail. A confession is made by Rohan throughout the proceedings, revealing that he had promised Anjali a major film project and had been having an extramarital affair with her. Fallout caused Rohan to refuse Anjali the huge film project; Anjali was attempting to frame Rohan for her rape out of vengeance; and everything that transpired between them was entirely voluntary. Tarun is able to prove that some of the injuries on Anjali's body were caused by her own brother. The cross examination also reveals that evidence was tampered with and the chain of custody was broken by Police Sub-Inspector Milind Kasle who had called Rohan to extort a huge number of bribes. He also proves that Anjali Dangle is unreliable as a witness and has lied as well as hidden many facts from the court. He then says that marks of resistance are found on the frontal part of the body such as the chest, arms and face. But the marks found on Rohan Khurana's back indicated a passionate encounter. The accused and the Prosecutrix were involved in a passionate sexual affair and when the affair came to an end; Anjali filed a false and vindictive charge of rape. The defense initially argues that there was no sexual activity at all, but eventually modifies this position to say that the woman was spurned by the male and that the affair ended erroneously. She then files a fictitious rape lawsuit in retaliation. When Anjali eventually admitted the truth to Hiral and acknowledged that what Tarun had claimed to be true, it became clear that the rape case was, in fact, fraudulent. However, the individual is found guilty despite everything. The scene where the judges pronounce their decision is one of the most upsetting. They claim that after hearing the arguments put up by both parties, it appears that there is truth on both counts, but the law would require the woman's statement to serve as definitive proof of her consent—or lack thereof—in order to find the guy guilty. Hiral told Tarun that she didn't think justice was done when they met on the evening after the verdict. Tarun said, "We're not in the business of justice; we're in the business of law."

According to what is known, the movie is based on the case "The State of Maharashtra v. Shinee Ahuja," in which Bollywood star Shinee Ahuja was charged with rape for raping his young domestic helper (Sarkar). The actor was prosecuted and given a seven-year imprisonment sentence by a sessions court. He was then released on bail following an appeal to the Bombay High Court, which determined that there was insufficient evidence to convict him. Based on a preliminary assessment of the available facts and documentation, the judge determined that the applicant had presented a valid case for bail and, as a result, was eligible for release on bond. Furthermore, the #MeToo movement in India has resulted in rape allegations against other prominent Bollywood stars and celebrities nearly ten years after the Shinee Ahuja case, heightening patriarchal fears that any male could face rape charges. Although Ahuja's tale is positioned in the narrative, the legal consequences of rape are those that apply following the 2013 legal reforms. However, the public uproar about men getting away with rape and these injunctions are intended to be minimized by implying that the indignation is merely a social media fad. Popular hashtags, like #hangtherapist in the movie, highlight two roles they play.

Unlike other cases, the accused has the burden of proof to establish its innocence in rape cases. The way the laws are written empowers women and gives them justice for the injustices they have endured. This opened the door for women to abuse the law, as Tarun puts it: "women using the very law that was made to protect her as a weapon." The rules of the land regarding rape are so strict that regardless of whether a man or the accused party can show their innocence, they will suffer if they cannot prove they did not commit the crime of rape. A lot of accusations were made during the #MeToo Movement, some of which were accurate and some of which were

fake, just as in the film. Women have made false accusations for a variety of reasons, including retaliation, unresolved grudges, workplace hostility, and attempts to obtain recompense through deception. The more depressing aspect, though, is that men are not shielded by any laws from these false accusations made by women. The judges in the film acknowledge that there are two possible explanations for the case, and while either one may be true, the law was created to protect the victim and must be upheld regardless of the veracity of the accused's confession. The movie subtly emphasizes that no male accused of rape can ever "walk free," even if the court finds him not guilty. This is a very toxic and dangerous message. A scene when the victim's brother beats her for being raped effectively illustrates the attitude society has toward rape victims. The sufferer is unable to lead a respectable life with elegance and dignity due to the pressures from society and family. Because of the way she dressed, the way she behaved, or the fact that she visited the offender, she is always blamed for having been raped. The public's perception that the accused would have unfairly benefited from the victim just because he was wealthy and influential is also emphasized. As it explores the intricacies of the case and the moral and ethical dilemmas facing the lawyers, the film challenges viewers to reconsider their conceptions of justice and truth. It also confirms Tarun's notion that attorneys practice law, not justice.

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