

"Victim changed her version multiple times, benefit of doubt should go to accused", HC sets free 2 people in minor girl's rape case

January 10, 2019:

On Wednesday, three yrs after they were arrested for sexually assaulting a minor girl in separate incidents, Bombay HC last month acquitted a Lower Parel resident and another youth from Tardeo saying the victim's account of the incidents were "unreliable".

Justice Anant Badar said the victim had changed her version multiple times and the accused need to be given benefit of doubt.

Justice Badar said, "Victims of sexual offences are not expected to lie and to create false story of commission of sexual assault. However, in the case in hand, the entire version of the victim female child appears to be improbable, particularly because of non-disclosure (of the incidents) for a fairly long period of time, despite tonnes of opportunities to do so."

The case was lodged in 2015, after the 17-year-old victim told authorities at the shelter home she had been sexually assaulted regularly by her brother.

Subsequently, she said she had been sexually assaulted by her friend's brother and then her maternal uncle had raped her. The brother, a minor, is facing trial before the **Juvenile Justice Board**.

A session's court in 2017 sentenced the uncle to 10 yrs' imprisonment for raping his niece and the brother's friend was sentenced to three years in jail.

The defense alleged the victim had made the false allegations against the uncle after he had accused her of stealing his daughter's gold chain.

They also pointed to her consistently changing statements.

Source [Link](#)