

## **Evolving Jurisprudence of Rape Laws in India: A Study of Last One Decade**

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**Abstract :** Rape is one of the most heinous crimes committed against the body of a woman violating her privacy and dignity. The Right to Privacy and the Right to Live with Dignity constitute the very essence of the Right to Life and Personal Liberty, a Fundamental Right guaranteed under Article 21 of the Indian Constitution. The study is conducted with the primary objective of analyzing the efficacy of rape laws in India. The study begins by explaining the origin, meaning, and kinds of rape recognised under Indian jurisprudence. Further, it explains various statutory and penal provisions relating to rape and the loopholes in such provisions. It focuses on the procedure followed during investigation and trial and also aims at developing an understanding of the rights of the victim and the sentence in cases of rape. The study also throws some light upon the amendments made to the criminal law and the recommendations of the Law Commission of India to meet the demands of the changing criminal justice delivery system. The outcome of the study suggests that the laws relating to rape have proved to be a major failure owing to the lack of proper implementation. Also, the lack of education among the masses leads to gender biasness, which is the ultimate cause for the commission of such crime. At last, the author concludes that the present criminal law system of the country contains various lacunae that need to be filled in so as to make the criminal justice system more stringent. Further, the scope of the definition of 'rape' needs to be widened in order to include such other acts of non-consensual and sexual nature that are currently not included in the definition. The author has adopted a non-doctrinal and analytical approach and relied upon the secondary sources of data for the purpose of the study. The scope of the study is limited to the crime committed against women.

**Keywords :** amendment, criminal law, fundamental right, personal liberty, privacy, rape

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