

Understanding the Sociology of Rapes: A Case Study of Punjab

By

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Abstract

The study, observational and empirical in nature, analyses the biological, social, occupational and demographic characteristics of the victims as well as incidents of the incidents of rapes in India's Punjab State. Besides highlighting these attributes, the study also investigates the most probable causes of rapes in Punjab along with recognizing the relationships among the victims and the accused of rape, if any. The study also analyses the nature and various patterns of the incidents of rapes. The study is relevant not only in recognizing the most vulnerable victims, but also the most probable accused as well. Further, the study examines the individual specifications, social perceptions and legal complexities with regard to the incidents of rapes.

Keywords: Women, Sexual Crimes, Rapes, Accused, Police, Law.

Introduction

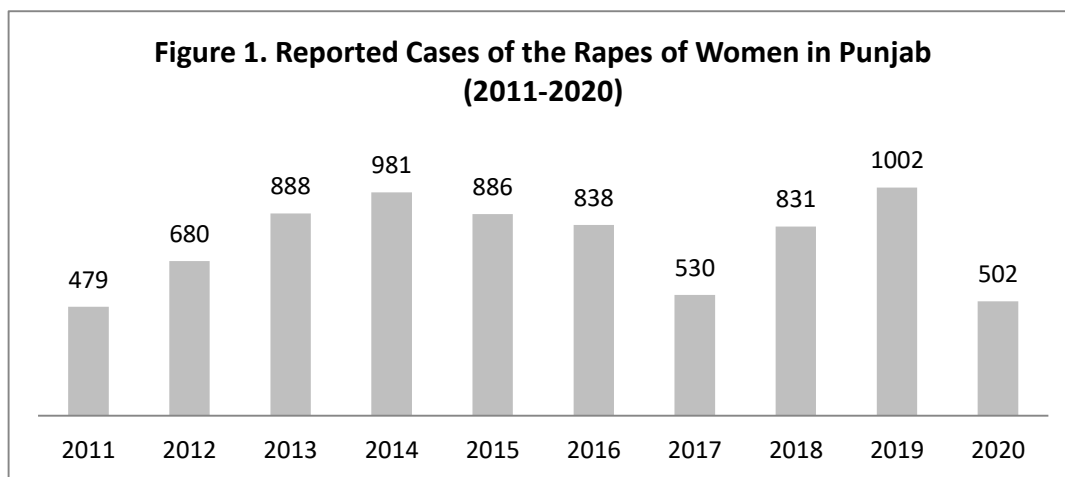
Although geographically men and women share the same space, they live in different worlds. Women are often in great danger of being harassed, humiliated and assaulted at all the places where they should feel safe (United Nations 2006). Since their birth, survival and safety of the women are in jeopardy (Heise, et al. 1999: 1; Edleson, et al. 2010). Violence against women has been a perpetual reality of whole world, irrespective of the regions. It does not only appear as a vicious form of the violation of human rights but also a major hindrance in establishment of the ideal of gender equality (UNICEF 2000). Any form of violence against women is intolerable, whether exercised by the State and its representatives or by family members or strangers, in the public or private sphere, in peacetime or in times of conflict (Annan 2007). Violence and unlawful or immoral conduct against women continuously exists in various forms (Ellsberg & Heise 2005). Among all forms of violence and crimes against women, sexual crimes are the most excruciating, reprehensible and terrible (Ward & Marsh 2006). Unquestionably, rape is one of the most horrifying forms of sexual violence women can experience. Women fear the crime of rapes against them more than any other (Mayhill & Allen 2002). It is undoubtedly the most harmful and vicious crime against women as it hurts the victims physically, degrades them socially, and thus ruins the victims psychologically (Baber 1987). The degree of its consequences is most harmful as the rape victims carry the feeling of physical hurt, social humiliation and mental agony throughout their life (Rosen 2002). Rape against women is actually the most shameful and disgusting assault on womanhood (Horvath & Brown 2009).

Rape is a crime in which a person is forced to have sexual intercourse without expressing consent. (Carroll 2009) The term 'aggravated sexual assault' is also substituted for rape, and many states include homosexual rape, incest, and other sex offenses in the definition of rape (Bennice & Resick 2003). Any person who intentionally, under coercive circumstances; (a) commits or continues to commit a sexual act with another person or; (b) causes another person to commit a sexual act with the perpetrator or with a third person, shall be guilty of the offence of rape (Stefiszyn 2008). The offence of rape, in specific terms,

includes sexual penetration of another by force or compulsion, or otherwise without their consent (Bacik, et al. 1998).

Magnitude of the Problem

As per the data of the NCRB (National Crime Record Bureau of India), the cases of the rapes of women registered in the police stations of Punjab reveal such a worrisome depiction of the situation. More worryingly, the number of cases has been increasing year after year. According to the statistics of the NCRB, total 479 cases of rapes were reported at various police stations of the state during the year 2011. The number had risen to 680 in the year 2012 that increased to 888 cases during 2013 and 981 cases during the year 2014. The situation remained alarming during the following years with reporting of 886 cases during 2015, 838 cases during 2016 and total 530 cases during 2017. A rapid increase in the number of reported cases of rapes was observed during 2018 and 2019 as respectively 831 cases and 1002 cases were registered during these two years. In the year 2020, 502 cases were registered in Punjab. The year-wise data of ten years (from 2011 to 2020) comprising of total number of reported incidents of rapes in Punjab has been revealed in the figure 1.



Source: *Annual Reports of the National Crime Record Bureau of India*

The study affirms that total 7617 women have formally reported to the law as being raped during the period of ten years (2011 to 2020). The data further confirms that average 63 cases of rapes are reported in Punjab every month; while average 15 incidents are reported every week. It further corroborates that average 02 incidents every day and average 01 case after every twelve hours of rape have been reported in the state of Punjab.

The statistical data maintained by the concerned organizations is insufficient to depict the actual magnitude of the problem. All kinds of sexual violence against women, particularly the incidents of rapes, are generally acknowledged as disrespectful for the women themselves. In an orthodox and socially stereotyped society of Punjab, the raped women are seldom supported with emotional, social and legal support. Consequently, the victimized women, in majority number of cases, feel personally broken-down and socially embarrassed and hence, do not carry the confidence to report the incidents of rapes against them. Moreover, the families also compel the victimized women not to disclose the act of rapes against them as the same is unfortunately considered as a blot of dishonor for the whole family. Therefore, large number of incidents of rapes are not reported to the police stations or

other nodal agencies. The organization of Development and Communication Studies in Punjab had estimated that only one case out of seventy actual cases of rapes is reported to the police in Punjab. There are trends, (though very feeble) of reporting of the incidents by the victims or the family members to panchayats, municipalities, mahila mandals and voluntary agencies. (Singh 2000; Johnson et al. 1996)

Justification of the Study

The statistics establish that incidents of rapes have been continuously happening despite the existence of appropriate legal measures and social campaign against it. Committal of rape is not only a crime against an individual woman, rather a sin against the whole womanhood. (United Nations (UN) 2006) Rape is not only a brutal step against cultural pattern of a society, not only a breach of the law of any country, but actually the rape is a most sinful act against whole humanity. (Wald 2007) The noteworthy concern is that in spite of recurrent incidences of rapes in every society since time immemorial, sufficient efforts are taken nowhere to investigate the most vulnerable victims and the most probable accused of the rapes. Generally in India, and particularly in Punjab, there is huge dearth of scientific academic researches to observe the biological and social characteristics of the most vulnerable victims of rapes and the most possible accused of rapes.

The present study presents an observational and empirical examination of the biological, societal, economic and geographical attributes/variables of the victims as well as the accused of the rapes in Punjab. The prime focus of the study, among others aspects, is to investigate that the women of which age group, social profile, economic status, and geographical areas are most frequent victims of rape? The present study is also an attempt to investigate that, persons of which age group, social profile, economic status and geographical areas are most frequent accused of raping the women? The study further analyses the most probable causes of rapes in Punjab besides recognizing relation/proximity between the victims and the accused of rape, if any. The study is significant and relevant to recognize the most vulnerable victims, and the most probable accused of the rape, so that appropriate measures can be taken to protect the women most vulnerable to be raped from the most possible accused of rape.

Methodology

As per the nature of the study, primarily, empirical-observational approach has been applied. Case study method has been applied to obtain most precise, authentic and methodological outcome. Further, while incorporating the content analysis method, one hundred sample cases of rapes published by The Tribune (the mostly read English daily newspaper in Punjab) since 2011 to 2020 are taken into consideration for the study. Each case has been thoroughly studied to acquire most accurate description of all relevant queries. The relevant information collected after observing and analysing each case has been statistically designed and the accumulative statistics have been expressed through appropriate tables and charts wherever necessary. It is clarified here that one hundred sample cases of rapes detailed by the daily newspaper are selected randomly, and not as a deliberate selection to prove any pre-assumed hypothesis. In addition to this, other primary as well as secondary sources of relevant literature have been consulted to be acquainted with the nature and contemporary postulates regarding the concept of rape and the magnitude of the incidents of rapes.

Limitations of the Study

The present study has been confined to the Indian State of Punjab whereas Chandigarh (joint capital of Punjab and Haryana) has also been taken into consideration. The sample cases of rapes are considered from a daily newspaper because the newspapers usually reveal thorough information regarding all facts and aspects of the incidents of rapes. Moreover, the information provided by the rape victim, her kin/relatives and the police to the print media immediately after the incident is more precise and reliable from the research point of view. It is relatively almost an unfeasible task for a researcher to obtain face-to-face interviews of the rape victims, as in an orthodox Punjabi society, the rape victims and their kin, most of the times, do not like to share the information of the incidents of rapes with the people unknown and allegedly irrelevant for them (World Health Organisation (WHO) 2010).

Measuring levels of sexual victimization, especially the rape, has always been difficult. Only a small fraction of these offences are reported to the police and even getting people to talk freely to interviewers can be difficult (Moxon 2002). The justifications behind considering only one hundred cases is that firstly most of the incidents of rapes go unreported in Punjab; secondly it is really difficult to find out the cases of rapes in the newspapers which present precise and thorough information regarding the age, family background, social status of the victims as well as the accused of the rapes along with disclosing the relationship between the victim and the accused.

Results of the Study

Age Variables of Rape Victims

Determining the recognition of the most vulnerable targets of rapes as the primary objective, the first focus has been given to identify the most vulnerable age of the rape victims. The information acquired through sample case studies regarding the Age Variables of the rape victims has been categorised into four age groups, i.e. Age Group of 0-10; Age Group of 11-17; Age Group of 18-35; and Age Group of 36-50. These age groups are formed after observing from the sample cases the minimum age and the maximum age of the rape victims in Punjab. The age group of 0-10 includes girl children; the age group of 11-17 contains minor girls during their teenage; the age group of 18-35 includes young women; while the age group of 36-50 here comprises physically mature women. The proportion of the vulnerability to rape of various age groups has been depicted in the table 1.

Table 1. *Age Variables of Rape Victims*

Sr. No.	Age of Victims	Percentage
1.	0-10	18%
2.	11-17	34%
3.	18-35	46%
4.	36-50	02%

The study discloses that young women comprising the age group 18-35 years are most frequent victims of rapes in the State. The minor girls during their teenage are the second soft targets of rapes. The vulnerability of rapes is quite less among physically mature women. The depraved lust of the rapists can be observed from the fact that female children and even female infants of 0-10 years' age group are third most vulnerable victims of rapes and 18 out

of hundred rape victims are female children comprising this particular age group. There are a number of reasons for the women of age group of 18-35 years being most vulnerable to rapes. Firstly, from the perspective of their anatomy, they are completely adult to sexually stimulating the men; secondly, women of this particular age group comparatively more frequently wander outside their homes as students, employees or to performing routine household functions. The women belonging to the age group of 11-17 years become frequent victims of rapes; reasonably, physically they start getting matured, but mentally they are not grown-up enough to observe their vulnerability to be raped. They are not watchful enough to understand the sexual intentions of the males in their contacts, and not prudent enough to combat with such sudden assaults on them. The suspicion of consensual sexual relationships has also been observed in a number of cases belonging to this particular age-group as the teen-aged adolescent girls, due to their extra stimulation towards their opposite sex, sometimes establish sexual relationships with their boyfriends, lovers, neighbourer or even the relatives. The minor girls of the age group of 0-10 years are the third largest victims of rapes, because certainly they are so under-age to observe, understand, oppose and combat the attempts of rapes against them. It is generally very easier for the person known or even a stranger to deceive and/or abduct the innocent girl children to rape them. It has been observed that the minor and young women are the most frequent victims of rapes and the middle-aged women belonging to the age group of 35-50 years are the least victims of being raped. Noticeably not even single case has been found where the woman more than 47 years of age has been raped. Quite understandably, the middle and old aged women, due to their declining physical attributes, do not appear as the preferable choices of therapists. Secondly, and more importantly, the matured women are mentally matured and socially experienced enough to tackle the unfavourable persons and situations.

Illustrative Sample Cases

Rape and Murder of 15 Girl Children by Serial Baby Killer (Bhardwaj 2010)

The police of Jalandhar district of Punjab had booked Darbara Singh, reportedly a serial baby killer. According to the police, Darbara Singh himself had admitted that he had killed 17 children including 15 girls, all less than 10 years of age. However, the police had convicted him for kidnapping, raping and then killing 24 children of Jalandhar and Kapurthala districts of Punjab.

Rape of Eight-Year-Old by SPO of Punjab Police (Singh 2005)

Acche Lal, An SPO of Punjab Police was booked in May 2005 for raping an eight-year-old girl child in his house at a police colony behind women police station of Ludhiana. The Accused had been living as a new door neighbour of the victim's family for the past decade in the police colony. The accused was addressed as Chachu (Uncle, Brother of Father) by the victim and victim played as a toddler in his house only.

Rape of Four-Year-Old (Tondon 2005)

The police of Nawanshahr district arrested Pardeep kumar alias Ulloo, in the rape case of four-year-old Rajni on May 12 2005. The accused was the neighbour of victim and had cordial relations with the victim's family.

Rape of Two-year-Old (Malik 2010)

Mohammad Zamal Ansari, a migrant labourer from Uttar Pradesh was arrested by the police of Amritsar district after a couple living at his neighbourhood alleged him of raping

their two-year-old daughter. According to the mother and father of the victim, the accused took the victim to his room and raped her.

Social Standing of Rape Victims

Social stratification has been an established fact of social setup of Punjab. Punjabi Society, although not very rigidly, has been divided on the basis of different castes generally and on the basis of lower castes and upper castes particularly. Thus, it is worthwhile to study the social profile of the rape victims from their social standing's point of view. In present study, the social standings of the rape victims have been majorly divided under two sub-headings, i.e. Lower/Schedule Castes and Upper Castes. The numerical variations between the lower and upper castes' victims regarding their extent in total number of cases have been discussed in the table 2.

Table 2. *Social Standing of Rape Victims*

Sr. No.	Social Standing of Victim	Percentage
1.	Lower/Schedule Caste	64%
2.	Upper Caste	36%

The Study has disclosed that the women belonging to lower castes are 28 per cent more vulnerable of being raped than the women belonging to the upper castes. It also confirms that two out of three women raped in Punjab belong to the lower castes. As the women belonging to lower castes, due to their poverty, have to move out their houses frequently in search of employment or to fulfill their other household necessities, they become quite recurrent and soft targets of being raped. Furthermore, the women belonging to the lower social standings are more frequently raped certainly because the rapists presume them as more easier to find and less aggressive to oppose and show up the committal of rapes against them due to their low social status, miserable economic recourses, least political associations and lack of legal support.

Locations of the Incidents of Rapes

While examining the sample cases of rapes, three main territorial areas have been found as the major locations where the incidents of rapes occur in the State. These areas include Rural Areas, Urban Areas and the Urban Slums/Hutments. The magnitude of the incidents of rapes at these various locations has been described in the table 3.

Table 3. *Location of the Incidents of Rapes*

Sr. No.	Location of Incidents of Rapes	Percentage
1.	Rural	56%
2.	Urban	16%
3.	Urban Slum/Hutment	28%

It has been found that most of the incidents of rapes take place in the rural areas i.e. villages of Punjab. One of every two rapes occurring in the State takes place in the rural areas. Following this, the women living in the urban slums or urban hutments, inhabited separately to the urban areas, are second frequent victims of rapes. Incidentally one out of every four cases of rapes takes place in urban slums/hutments. Reasonably most of the population of Punjab resides in the rural areas which results in more occurrences of the incidents of rapes in rural areas. Moreover, the lower/schedule castes, whose women are more frequent victims of being raped, mostly reside in the rural areas or the urban slums.

Besides that, loose control of police and less intensity of law and order in the rural and slum areas in comparison to the urban areas is another cause of the occurrence of more incidents of rapes in these areas. The urban areas, which here include major cities and towns of Punjab, are comparatively much secure for women.

Number of Rapists in Incidents of Rapes

Not even single incident has been found while conducting the study where more than one woman has been raped in Punjab at one particular occasion. The number of victims, in a particular incident of rape, does not increase to single, but the number of accused rapists varies in the particular incidents of rapes. Sometimes rapist is a single person; sometimes it is a collaboration of two persons; on other occasions, it is an association of a group of persons (gang) to rape a woman. The outcomes of the study regarding number of offenders in particular incidents of rapes have been divided into three categories i.e. Rape by Individual; Rape by Two; and Gang Rape. The variations in the number of offenders have been depicted in the table 4.

Table 4. *Number of Rapists in particular Incidents of Rapes*

Sr. No.	Number of Rapists	Percentage
1.	Rape by Individual	62%
2.	Rape by Two	06%
3.	Gang Rape	32%

The study reveals that most of the times (in 62 per cent cases) a particular incident of rape has been committed by the single individual. As there are less chances for a single man to forcefully kidnap and rape a woman only with the use of physical force, hence in most of these categories of cases, there are possibilities of consensual sexual relations between the victim and accused; possibilities of rape on the pretext of marriage where there is mutual consent for having sexual relationship; possibility of the breach of faith of victim by the accused; or possibilities of accused blackmailing the victim to have sexual relations with him. Among all these grounds, possibility of consensual sexual relationships between victim and accused emerges as most frequent possibility as in 24 per cent of total number of cases possibility of Illicit relationship between the victims and accused has been suspected.

Only in 6 per cent cases, the rapes are jointly committed against a woman by the two accused. In this category of cases again there is possibility of victim having prior sexual relationship with one of the rape accused; or there is immense possibility of victim having immense faith on both of the accused or one of the accused.

It is a worrying concern that 32 per cent rapes against women are committed in Punjab by the gangs deliberately grouped to perform that vicious act of rape against women. In this category of cases there are enormous chances of forceful rapes, where the victims totally oppose, protest and resist rape against them. In most of the cases of gang rapes, the intention of the rapists, most of the times, is to get sexual pleasure. However sometimes dishonouring the image of the woman of her family is the cause behind the gang rapes. It has also been observed in some cases that sometimes the prostitutes hired by a group of persons for sexual pleasure allege gang rapes against them after being caught red-handed by the police, locality or the society. The intentions of rapists behind rapes are inclusively analysed subsequently under separate heading.

Nature of Rapes

It is always very complicated task to observe and analyse various aspects of the incidents of rapes including the nature of rapes. The term 'nature of rapes' here in this study depicts the number of times a particular woman raped by any individual or a gang. The nature of rapes varies on the basis of victim raped once or raped a number of times. The distinction in the proportion of number of cases in these categories has been disclosed in table 5.

Table 5. *Nature of Rapes*

Sr. No.	Nature of Rapes	Percentage
1.	Raped Once	54%
2.	Raped Repeatedly	46%

54 per cent cases of rapes where the victim is raped once are those cases where the rapist/rapists rape the woman with the use of physical coercion while deceiving, kidnapping or abducting her or finding her defenseless enough to be raped. 43 per cent cases where the victim has been raped occasionally for a number of times are those cases where the women are raped by the rapists through: blackmailing them on the pretext of any of their weak-point; frequently raping the minor or mentally retarded women unaware of being raped (the negative consequences of rape); raping the victim on the pretext of marriage. However possibility of consensual sexual relations between the victim and accused cannot be ignored in these cases as several times the victim complains of being raped after being pregnant or after their family members or others come to know about their sexual relationships.

Relationship or Intimacy between Rapist and Raped

It is another significant and worthwhile aspect of the study to examine the relationship, intimacy or association between the victim and the accused of the rapes in all individual incidents of rapes. The study exposes that the women are frequently raped by the men who are intimated to them nearly or distinctly. The closer of distinct neighbours, kin or family members, seniors at workplaces or employers, colleagues or co-students, teachers of principals emerge as the most frequent persons committing rapes. The proportion of all particular associates among total number of incidents of rapes has been portrayed in table 6.

Table 6. *Relationship/Intimacy of Rapist with the Raped*

Sr. No.	Nature of Relationship	Percentage
1.	Neighbourer	54%
2.	Kin/Family Relation	16%
3.	Boss/Employer	10%
4.	Colleague/Co-Student	04%
5.	Teacher/Principal of Victim	02%
6.	No Relation	14%

There is a common perception among society in general and women in particular that women are vulnerable of being rapes by the strangers and the persons unknown to them. But the study reveals that there are only 14 per cent cases where the women are raped by the persons unknown or strangers. It confirms that in 86 per cent of the incidents of rapes, the accused are known to the victims in some manner or the other. The neighbourers are the most frequent accused of raping the women. There are several reasons for neighbourers emerging as the most numerous accused of rapes. Certainly the women/girls have more faith and less suspicion on the neighbourers. Secondly the probable accused of the rape knows it reasonably

well when he may find the probable victim of the rape alone and defenseless at home. Most of the victims belonging to the 0-10 age groups as well as 11-17 age groups are majorly raped by the neighbourer due to the advantage of the above mentioned reasons. However, again the possibility of consensual relationships between the victim and accused as being neighboured cannot be ignored in the age group of 11-17 as well as 18-27.

Worryingly, in 16 per cent cases of rapes, the accused are the kin or family relatives (father, cousin, brother-in-law etc.). In all these cases the victims had alleged that the rapists had raped them consistently a number of times by threatening or deceiving them. But quite apprehensively, in majority of this category of cases, the victims of rapes exposed out rapes against them after getting pregnant, after being known by the other family member/s, or after returning from the several days/months' alleged captivity of the accused. Noticeable majority of the cases involving kin or family relations into the rapes are faced by the girls belonging to the age group of 11-17 years.

As far as the category of the rapes by the boss/employer or the senior at workplace is concerned, in 3 out of total 5 cases the women were raped once and reportedly forcefully; however in other two cases the victims have complained of being raped by their employers a number of times not with the use of physical force but by pressurizing them or deceiving them.

The study further discloses that as many as 4 per cent women are raped by their colleagues or co-students. Two cases belonging to this category of cases comprise one case of rape each by the colleague as well as the co-student. In both of the cases the victims have complained that the accused had raped them on the pretext of marriage while the accused had totally denied it and alleged that the sexual relationship had been established with the mutual consent of both. It has been observed that in case of alleged rape by the colleague, the police was suspicious about mutual sexual relationship between the man and woman. While in case of rape by the co-student, even the girl had accepted that she gave her consent to the accused boy to establish sexual relationship with her but after getting pregnant she wanted the reportedly accused boy to accept the to-be-born baby as a father. While determining the case study, only one case has been found of the rape of student by the teacher. In that case too, the co-students of alleged victim as well as the colleagues of the reportedly rapist teacher had suspected consensual sexual relationship between the alleged victim and the accused and assumed that reportedly the victim had complained rape against her after getting pregnant.

There are 14 per cases where the women are raped by the strangers or by the persons not known to them. In total seven cases of this particular category, two cases are regarding the rapes of mentally challenged women who were not able to identify and disclose the identity of the rapists. The other five victims however complained that they were forcefully raped by the men totally strangers to them. 3 out these 5 women had complained gang-rapes against them.

Illustrative Sample Cases

Rape and Murder of Minor by Father (Singh 2006)

Lakhsir Singh, a resident of Bhai Rupa village of Bathinda district of Punjab had been allegedly sexually exploiting his minor daughter for past some time. But when the minor girl threatened to spill the beans before other family members, the accused father reportedly electrocuted the girl and cremated her in a hurry.

Rape of Minor Girl by Cousin (Sharma 2005)

A minor girl of Takhanwadh village in Moga district of Punjab had been frequently raped by her cousin (son of paternal uncle) for a few months. The case came into light when the girl became pregnant and the accused with the help of other associates got the foetus of the girl aborted.

Rape of Minor by her Teacher (Tondon 2006)

Prabhjot Kaur, a 16 year old minor girl, studying in Senior Secondary School of Phillaur city of Ludhiana district was raped by Harbhghan Singh, her own school teacher and poisoned to death in mysterious circumstances. The information collected from the classmates of the victim and other associates of victim as well as accused had however affirmed intimate relation between the victim and accused.

Family Background of the Rape Victims

It is relevant from the research as well as societal perspective to know the family background of the victims of rapes. It also supplements in identifying the women most vulnerable to be raped by the rapists. The present study has identified that the women raped in Punjab possess varieties of family backgrounds; i.e. families of daily wage labourers including migrant labourers, farmers, government and private employees and business families. Numerical facts regarding all aforesaid categories have been depicted in table 7.

Table 7. Family Background of the Rape Victims

Sr. No.	Family Background	Percentage
1.	Daily Wage Labourer	44%
2.	Migrant Labourer	18%
3.	Farmer	16%
4.	Job (Govt./Private)	14%
5.	Business	04%
6.	Rape of Mentally Challenged	04%

The study has disclosed a noteworthy fact that 62 per cent of the total number of women belong to the economically downtrodden and socially marginalised families of the labourers including the migrant labourers. Moreover 16 per cent of the total women raped belong to the families of the farmers. It further complement the fact discussed earlier that 56 per cent of the total number of rapes take place in the rural areas whereas 28 per cent of the total number of rapes take place in the slum areas of hutments because 78 per cent victims of the rapes belong to the families who reside in the rural areas or the urban of rural slum. The women belonging to the families of the labour class are most vulnerable targets of being rapes because their other family members routinely go on work which leaves the women of these families alone at their homes. The rapists rape them after finding them lonely at their homes. In most of this particular category of cases the rapist is the near of distinct neighbour or the even the relative who is familiar about the daily routine of the victim as well as her family. Furthermore, usually the women belonging to the families of labourers, themselves go out to work as labourers, or to collect fodder, wheat chaff or cow/buffalo dung. It makes them more vulnerable of being raped.

Noticeably 18 per cent (14 per cent of job oriented and 4 per cent of the business families) of the total women are well literate and belong to the well-educated and economically sound families living in the urban areas. Majority of these women are

generally not raped by the neighbourer or any kin/relative but raped by the colleagues, co-students, or strangers. Disgracefully, there are two cases of the rapes of mentally challenged women were homeless, itinerant and destitute. These women were raped by the gang/group of persons for the sexual pleasure knowing that the mentally challenged women were never going to complain them or even identify them after being raped.

Illustrative Sample Cases

Rape of Mentally Challenged Woman at Nari Niketan (Sharma 2010)

A mentally challenged woman of approximately 20 years age had been gang raped at a Nari Niketan (Governmental Accommodation for homeless Women) as she was provided shelter by the authorities for her physical wellbeing and social security. She had been raped by the male staff members, reportedly the ward boys, of the same Nari Niketan where she was residing.

Probable age of the Rapists

While analyzing various aspects of the incidents of rapes it is one of the most relevant and significant tasks to recognise the most probable age of the rapists so that the women can become more vigilant to those particular age groups. The study divulges some irritating data for the women as the feasible age of the rapist men starts from fifteen years of age and lasts till fifty years of their age. However, the ladder of the most probable age of the rapist has been expressed in the table 8.

Table 8. Probable Age of the Rapists

Sr. No.	Age of Rapist	Percentage
1.	15-25	34%
2.	26-35	30%
3.	36-45	26%
4.	46-55	08%

The study asserts that the men belonging to the age group of 26-35 years commit most of the rapes (34 per cent) in Punjab. Noticeably rapists belonging to that particular age group are, in most of the cases, involved in the gang rapes. It has been observed that majority of the rapists belonging to that age group are not ordinary family-men but they have more or less criminal background also which aggravates their probability to commit the vicious crime of rape also. Reasonably, their more strengthened physical maturity, more aggressive sexual instincts and more pessimistic sociability thrust them to rape the women.

In this particular analysis of the age variables of the rapists, the most worrying concern is the confirmation of the age-group of 15-25 years as the second most risky age-group to rape the women. The notable aspect is that the rapists belonging to this particular age-group have, in majority of the cases, committed the rape as individuals and not as associates of any group or gang. Another noteworthy finding of the study is that the men especially belonging to the age group of 15 to 20 years have raped the women less than their own age-group or equal to their age-group. Not even single case has been found where the rapist belonging to 15 to 20 age-group has raped any women mature than him in physical age. Most of the rapists belonging to that particular age-group have raped the women/girls residing at their neighbourhood or studying along with them. These factors fortify the possibility of preceding consensual sexual relations between the rapist and the raped certainly more prominently rather than the committal of typically forceful and violent rapes. Disgracefully, 4 per cent cases are found where the teen-aged boys less than eighteen years of

age have raped the minor girls less than five years of age. It expresses that sexual orientations and stimulations among teen-aged adolescent boys, if not watched and guided properly, definitely result into most negative consequences.

Illustrative Sample Case

Rape of 4 years' Old by 16 Years' Old Boy (Singh 2010)

A four-year-old girl child, daughter of a daily wage labourer, living in a hutment of Sirhind town was raped by 16-year-old minor boy living nearby the victim's house.

The rapists belonging to the age-group of 36-45 and 46-55 years emerge respectively as the third and fourth largest age groups to commit rape against women. The age group of 36-45 years mostly comprises rapists committing rape against their own employees, subordinate, or colleagues. The rapists possessing influential religious, economic or political profiles also belong to these two particular age groups. Quite understandably, the probability of men raping the women noticeably decline with the decline of youthfulness and physical attributes among them.

Intentions of Rapists behind Rapes

It has been another significant objective of the study to identify the purpose, motive or intention of rapists behind rapes. Undoubtedly rapes, the most dishonorable crime against women, are not committed without any motive. The analysis of the sample case study has exposed two prime intentions of the rapists behind rapes; i.e. sexual pleasure and dishonouring the image of the woman or her family. The ratio of the proportion of number of cases between these two prime intentions has been depicted in the table 9.

Table 9. Intentions of Rapists Behind Rapes

Sr. No.	Intention of Rapist	Percentage
1.	Sexual Pleasure	92%
2.	Dishonouring the Image	08%

The most disgraceful fact exposed by the study is that 92 per cent women are raped in Punjab just for the sake of sexual pleasure. Remaining 8 per cent rapes are committed to dishonor the social image of the women or their families which further reveals the barbaric character of Punjabi society. All rapes committed to dishonor the image are committed by the gangs/groups, and not by individuals, as pre-planned and deliberative crimes against women. All that category of rapes, where dishonouring the image was the prime motive, were committed in the rural areas of the State; and the rapists were close or distinct neighbours or the residents of the village or locality of the victim. Furthermore, majority of rapists in that category of rapes belonged to the adult and mature age-groups and not even single individual below 18 years of age had been found. Nevertheless, the rapes committed for sexual pleasure include the rapes committed by the individuals as well as gangs. People belonging to all age-groups, from teen-aged boys to fifty-five years' old man, are found to be committing rapes just for sexual pleasure. This particular category of rapes, where sexual pleasure is the prime intention, are frequently committed both at rural as well as urban areas.

Illustrative Sample Case

Rape of Baljit Kaur for Teaching her Lesson (Sidhu 2001)

Baljit Kaur of Fatehpur village of Amritsar district was raped and murdered by six persons, the neighbours of the deceased. As per statement of accused to the police, the motive

of the rape was to teach a lesson to Baljit Kaur, who they alleged, used to fight with them over pretty issues. The murder was committed to cover the tracks.

Social and Occupational Status of the Rapists

A general perception exists in the society that the rapists are differently appearing, unusual, criminal-minded persons. But the study has proved that opinion mere as a misconception. The study discloses that the rapists probably belong to various social standings. The Students, businessmen, self-employed, farmers, labourers, employees, unemployed, political leaders, religious priests, along with people having criminal background are found to be the frequent rapists. The variations in the probability of committing rapes on the basis of different social standings of the rapists have been exposed in table 10.

Table 10. *Social and Occupational Status of the Rapists*

Sr. No.	Status of Rapists	Percentage
1.	Student	24%
2.	Labourer	22%
3.	Employee (Govt. /Pvt.)	14%
4.	Farmer	08%
5.	Unemployed	06%
6.	Businessman	06%
7.	Criminal Background	06%
8.	Self Employed	04%
9.	Political Leader	04%
10.	Religious Priest	04%
11.	Unknown	02%

Rape has been generally considered as a crime reportedly committed by the barbaric and uncivilised persons. But the study exposes the students as the most frequent accused of committing rapes as 24 per cent of the total rapes are committed by the students. Reasonably, most of the rapists belonging to age group of 15-25 years are found to be the students which have amplified the ratio of students as being most frequent rapists. In several cases where students, especially the teen-aged, are found as rapists, the possibility of consensual sexual relationship cannot be ignored where the teen-aged boys and girls indulge into consensual sexual relations, but when exposed, it is reasonably impossible for the girl to accept the mutual consensual sexual relationships. The daily wage labourers, including the migrant labourers, emerge as the second most frequent rapists as they are accused in committing 22 per cent of total incidents of rapes. As discussed earlier, huge majority (84 per cent) incidents of rapes take place at rural areas (56 per cent) and the slum or hutments (28 per cent). It is an obvious fact that it is the labour class that resides in the slums and hutments. Out of total 56 per cent incidents of rapes taking place in the rural areas, several of them are committed by the labour class residing in rural areas. 7 per cent of the total rapes are committed by the government or private employees against their female colleagues, subordinate, or minors (i.e. rape of student by teacher or principal). The farmers (committing 8 per cent of total rapes) and the unemployed (committing 6 per cent of total rapes) are found to have committed rapes both as individuals as well as part of gangs. Majority of the rapes committed to dishonor the image of woman are committed by the farmers. Furthermore, the businessmen, committing 6 per cent of total incidents of rapes, have raped their employees, labourers or poverty-ridden women expecting financial aid from them. The persons self-employed of skilled professionals

are also responsible of committing 4 per cent of the total number of rapes. The most worrying fact is that even the political leaders and the religious priests are found to be committing 4 per cent each of the total number of rapes committed in Punjab. The political leaders as well as the religious priests have, in all cases, raped the women as individual rapists, and not as associate of any gang to rape the women. The political leaders, in majority of the cases, are reportedly responsible for raping the women only once, while the religious priests, in all cases are found to be raping the women a number of times, sometimes even for several days, weeks or months after allegedly captivating the victims at their religious command centres or any other religious place. The social standings of the rapists could not be recognized in 2 per cent cases as in these cases the rapes were committed against the mentally challenged women who could not identify and expose the rapists at all. Contrary to the prevailing misconception in the society that rapes are mostly committed by the persons having criminal background, only 6 per cent of the total rapes committed in the region are committed by the persons having criminal background. It further confirms that in 94 per cent incidents of rapes, rapes are committed by the persons possessing socially approved occupations and reputed social status.

Illustrative Sample Cases

Rape of minor by a Tantrik (Rai 2004)

A 16-year-old minor girl was raped by a tantric (reportedly containing paranormal spiritual powers) named Karam Chand of Bahdurpur village of Pathankot district of Punjab. According to the mother of the victim, her daughter was suffering from some physical and psychological problem, thus was sent to the tantric for treatment. Known for 'magical' treatment, the tantric advised them to leave the girl in his dera (headquarter of religious priests) for a few days. The father of the victim, an unskilled labourer earning about Rs. 50 per day, could not afford private treatment of their daughter. Hence, the victim was allowed to stay with the tantric for treatment, who was a distant relative. The tantric raped the minor girl a number of times and she even became pregnant.

Gang Rape of Girl in a Gurudwara by Priests (Singh 2002)

A girl arrived at a Gurudwara in Ludhiana city for paying obeisance, was raped for several days by five persons including three granthis (specialists in reciting and narrating the holy Guru Granth Sahib).

Rape of Woman by Six Police Personnel (Tondon 2005)

Six Police personnel of Mohali district of Punjab were dismissed from their services and criminal case had been initiated against them for kidnapping and gang raping a woman.

Political Leader Booked on Rape Charges (Sharma 2004)

A case of rape was registered against Gurinderjit Singh, former Sarpanch of Bhullar village, and vice-president of the Youth Wing of an influential regional political party of Punjab. According to the victims she had been raped by the accused at his flour mill when she went to him to take his help in getting mutation sanctioned in her favour in respect of her land. However, the witness who earlier confirmed rape with the victim had later denied rape of complainant by the alleged accused.

Rape of Teacher by Principal (Gurbaxpuri, 2010)

Kulwinder Singh, the principal of Sri Guru Angad Dev Study Circle of Goindwal Sahib town of district Tarn Taran, was arrested by Goindwal Sahib Police for raping a teacher

of his own school. The victim in her complaint alleged that the accused, with the association of his father and sister, respectively manager and coordinator of the school, had repeatedly raped her for a few days. However, the case was formally registered by the victim after four months of the incident, when the victim came to know that she had a 12-week pregnancy.

Complications and Problems in the Incidents of Rapes Dissatisfactory Approach of State Government, Police and Judiciary

At a time when voices seeking death penalty for rape are getting stronger, Punjab is remitting the sentence of those convicted for the heinous offence. The rape victims in the state have been walking free within days/months of being sentenced for the crime. Surinder Singh, a rape convict lodged at the Hoshiarpur district jail, was sentenced ten years rigorous imprisonment for the crime of rape on August 22, 2007. He was released on August 23, 2007, under the remission granted by the state government on Baisakhi festival (a cultural festival celebrated throughout India). He was not the lone beneficiary of the government's policy of remission of sentence, which holds rape convicts eligible for the grant of remission. Nine others in his league were ordered to be released at different dates from 2008 to 2014, their sentences already remitted. (Tondon 2008) The remission order of the government lists seven categories of offences on which the benefit of remission of sentence is not applicable. Rape does not figure in that list. Strangely, the criminals convicted for rape can go free only because rape has not been followed by culpable homicide (murder after rape).

Unfortunately, the police, involved in corruption/extortion or due to any politico/administrative pressure, seldom get committed in providing justice to the rape victims by arresting the culprits and initiating a thorough and scientific investigation within proper time. The police, instead of proving the rape accused guilty, actually try to prove the accused innocent by declaring most of the rape cases as fake allegations. Satya Devi of Kapurthala was gang raped by 10 men from her neighbourhood. She lodged an FIR at Kapurthala city police station. The police, in its preliminary investigation, plainly dismissed Satya Devi's complaint by asserting that the victim was only beaten up but not raped. However, the medico-legal report based on scientific chemical examination vindicated the stand of victim by confirming that she was gang-raped. (Tondon 2007)

The role of High Court is really considerable while adjudicating the incidents of rapes. The High court in its judgment of the rape case of six-year-old girl child had reversed the trial court's order of acquitting the rape accused Gura Singh and convicted him with 10 years rigorous imprisonment. The High Court in that case asserted that the trial court should not overlook the statements of the prosecutors as a mechanical and hyper-technical approach in the cases of the instant nature does not advance the cause of justice delivery system; rather it encourages the offender to repeat the crime. (Malik 2009)

Problem of Consensual Sexual Relations between Rapist and Raped

The incidents of rapes have become complicated to identify wherever there is any evidence or suspicion of consensual sexual relations between reported victim and alleged accused. Although in all cases considered in this study, the women reportedly raped had explicitly complained committal of rapes against them. However, in 24 per cent of the cases, sometimes the situational circumstances, sometimes the evidences exposed by the alleged rapists, sometimes the interim investigations of the police had substantiated the suspicion of consensual sexual relations between the alleged raped women and the reported rapist man. The suspicion of consensual sexual relations amplifies in certain type of cases: where the

rapist and the raped are teens and of same age, and/or living as neighbours which enhances the possibility of love affair between them which sometimes reaches to consensual sexual relationship; where the woman raped complains rape against her after living with the alleged accused quite silently (or even consensually) for several days or even months; where the woman complains rape against her by the person with whom she had run off. The study has exposed that in 22 per cent cases the victims of rapes had got pregnant due to rapes against them and the victims had complained rapes, not immediately after the incident but after getting pregnant.

Illustrative Sample Case

Complexity of the cases further arises when a legally minor girl (under 18 years) establishes love/sexual relationships with an adult man. In these cases, the parents of the girl allege the rape of their girl by the accused while the girl denies being raped and expresses her consent towards the alleged accused.

Case of Rape by Lover (Singh 2009)

In March 2008, Abhishek Verma, a 21-year-old youth and student of Chandigarh Engineering College was arrested for raping his co-student. The victim, a 24-year-old youth had complained that the accused had frequently raped her on pretext of marriage. When she told Abhishek that she was pregnant for two months, Abhishek denied from being the father of the child being conceived by the girl. The defence counsels had taken the plea that the relationship was of consent and was not forced, so could not be termed as rape.

Case of Alleged Rape of 17 years' Old Minor (Bhardwaj 2010)

The father of 17 years' old minor girl lodged a complaint to the police regarding kidnapping and rape of his daughter against three persons of Mani Majra, originally belonging to Lucknow area of Uttar Pradesh. The girl, with the help of local authorities, was lodged at a Nari Niketan in Lucknow. The girl refused to go with her father and expressed her consent to live with the person, identified as kidnapper and rapist of the girl by her father. But the case of kidnapping and rape was framed against the alleged accused as the girl was minor as per law.

Case of Alleged Rape of Minor Girl by Minor Boy (Sidhu 2010)

The police booked a 15-year-old minor boy for allegedly raping a minor girl of 14 year old, the neighbour as well as the classmate of the accused. According to the grandmother of the victim, with whom the minor girl had been residing, the accused had told the victim to come to him in case of any problem. Once the grandmother scolded the minor girl and she went to the alleged accused home. After midnight, the accused reportedly called the minor girl to the terrace and raped her. It was further alleged that the elder brother of the accused sent the couple to his mother to another city after finding both of them in a compromising position. But a thorough analysis of the case expressed the suspicion of illicit relation between the victim and the accused. The 15-year-old boy, alleged accused, was however convicted by the police for kidnapping raping the minor in spite of the accused belonging to same age group as of the victim.

Problem of Lodging Fake Cases of Rapes by Women

It has been observed that in some cases the women lodge fake complaints of rapes against men. Dishonouring the image of any influential person, using fake allegations of rape as retaliation, extorting financial or other aid through blackmailing by lodging fake case of rape against any person are the dominant reasons for women to lodge fake complaints of committal of rape against any innocent persons.

Illustrative Sample Cases

Using allegations of Rape as Retaliation (Tondon 2006)

A woman of Gulabgarh village of Phagwara district had lodged a complaint at her nearby police station that her brother-in-law (brother of her husband) had beaten her and took her to the fields, where he wanted to rape her. But the police investigation had found that there was no truth in the allegations leveled by the women. It was nothing but a family dispute, in which clothes of the woman were torn apart after a scuffle with her in-laws. The woman had reportedly complained rape by her brother-in-law just to threaten and pressurize the family of her in-laws.

Fake Rape Case for Dishonouring Political Image (Malik 2009)

A woman had claimed before the media that Captain Amrinder Singh, former Chief Minister of Punjab, had raped her. A criminal case had been initiated in the court against the former CM. But later, the woman disappeared and became untraceable. The police investigations found that the woman and his companions had a criminal record and were found guilty in the past of falsely implicating influential personalities into the cases of rapes. Even the Punjab and Haryana Court had observed the allegations of rape to be false. The court had rebuked the woman for abusing the process of law and had discouraged these methods of character assassination.

Fake Rape Case for Blackmailing and Extorting Money (Vasdev 2008)

A swindler girl, identified as Suman Paul, alias Dr. Neha, Alias Parul Gupta, was captured by the police of Ludhiana city of Punjab for extorting money from the youth of affluent families through blackmailing after implicating them into false rape cases. The girl had been backed by hoteliers, travel agents and self-styled social activists. As per police investigations, the girl had 86 different phone numbers activated in different names which she used to trap and blackmail the youth. More shockingly, Brahaman Dev Paul, the father of the girl, told the police that he had disowned his daughter as she had fallen in a bad company about five years back. Instead of acting on advice of her parents, she had threatened them of dire consequences in case they tried to interfere in her matters. The racket of the girl could be exposed out as Rishi Sood, the youth falsely implicated in rape case by the same girl, and his council affirmed the girl as being a swindler, who demanded Rs. 22 Lakhs for withdrawing the case of rape.

Problem of Less Conviction Rate in Rape Cases

It has been observed that there is reasonably very high acquittal rate in the rape cases, and in majority of the cases, the accused are acquitted instead of being convicted. The statistics of Chandigarh city regarding the conviction of the accused in rape cases confirm the feeble conviction in rape cases. The statistics of rape cases that underwent trial in the city's district courts since 2005 till December 2008 expose that out of the 55 rape cases heard in the local courts, the accused in 32 cases were acquitted. It further establishes that the conviction rate of the rape cases stands around 41 per cent. Taking rape cases to their logical end is a

long and tedious task, as such cases largely depend on human evidence. In a substantial number of cases, either the victims or the witnesses turn hostile, resulting in such a high rate of acquittal in rape cases. Unfortunately, the number of such cases is higher than those ended in convictions for such apparent reasons.

Illustrative Sample Cases

Acquittal of Former MLA from a Rape Case (Sidhu 2009)

In 2006, a maid servant of the former MLA of Dhuri legislative named Gaganjit Singh had complained that Gaganjit Singh had raped her. She was admitted to the hospital with bleeding from her private parts. Earlier the victim stayed firm on her statement against the former MLA. However, later, in mysterious circumstances, the victim retracted from her statement while saying that she got injured after falling from bicycle.

Acquittal of the Husband of Municipal Councilor (Vasdev 2010)

A case was registered against Harmail Singh in May 2009 at Mani Majra police station for rasing a minor girl. After the FIR, Harmail Singh filed a bail petition before the trial court, but it was denied. Thereafter, he sought bail from the Punjab and Haryana High Court, but his application was against dismissed. The trial court then issued non-bailable warrants against him, following which he surrendered before the court. Surprisingly, three days after the court framed charges against Harmail Singh for kidnapping and raping the victim, the victim turned hostile and stated that 'this' Harmail Singh was not 'that' Harmail Singh who was involved in the crime.

Conclusion

It is certainly a worrying concern that incidents of raped have been constantly increasing in the state. In the State of Punjab detrimental consequences of rapes on the victims can be observed from the fact concluded by the present study that 4 per cent of the women commit suicide after being raped. Furthermore, the most vicious fact of the study is that among total sample cases taken into consideration in the present study, in 24 per cent cases the women were murdered by the rapists after raping them. Moreover 22 per cent of the total victims of rapes had got pregnant due to the rapes. The study divulges that women in Punjab are not only vulnerable in the outer world at educational institutes or workplaces but actually they are most vulnerable of rapes even at their homes. The risk of rape is not only for the young women but even the girl children and infants have been facing the equal jeopardy. The major concern is that some women are raped once but the others are raped for several times. Some women are forcefully raped but the others are raped on the pretext of marriage or by blackmailing them. The women are frequently raped by the individuals as well as the gangs. The women especially belonging to lower strata of society, particularly residing in the rural and slum areas and belonging to the families of the labourers and farmers are the most frequent victims of rapes. Most shamefully, the women are not raped mostly by the strangers but are actually raped by the fathers, cousins, teachers, and most frequently the neighbours. Worryingly, the rapists are not any differently appearing, uncivilized and with criminal backgrounds, but in fact belong to reputed social standings such as students, teachers, government employees, political leaders and religious entities. The accused of rapes belong to various age-groups which begin from 15 years and ends up at 55 years of age. Disgracefully, the dominant intention of the rapists behind ruining the physical, social and mental life of women by raping them is none more than getting sexual pleasure.

It has been observed that in a number of cases the allegation of rape has been used by the women as a tool to blackmail the men to extort financial or any other kind of benefit; to dishonor the men; to pressurize the lover/boyfriend to express agreement for marriage; to retaliate from any person. The situation becomes more complicated for the police, judiciary and the common society when such types of cases come into light where there is any evidence or suspicion of consensual relations between the women reportedly raped and the alleged rapist. Thus, the term rape, in the changing scenario, needs to be redefined to combat these sorts of complications.

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