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2013 Firozabad Gangrape Case: Cops close case citing victim's 'character', NHRC directs own team to analyse police probe

The police lodged an FIR 13 days after the incident and only when when IG, Allahabad, directed Firozabad SP to register a case.

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The Indian **EXPRESS**



According to the NHRC, the police neither arrested the accused, nor interrogated them, and closed the investigation in the case while giving the reason that the victim was a "woman of questionable character". (Source: Express Photo by Vishal Srivastav)

TAKING serious note of UP's Firozabad police filing a closure report in a 2013 gangrape case while raising questions on the victim's character, the National Human Rights Commission (NHRC) has directed its own team to analyse the case. The NHRC's DIG (Investigation) will conduct an investigation into the probe, record the statements of the victim, her husband and the witnesses in the case and submit the report in four weeks.

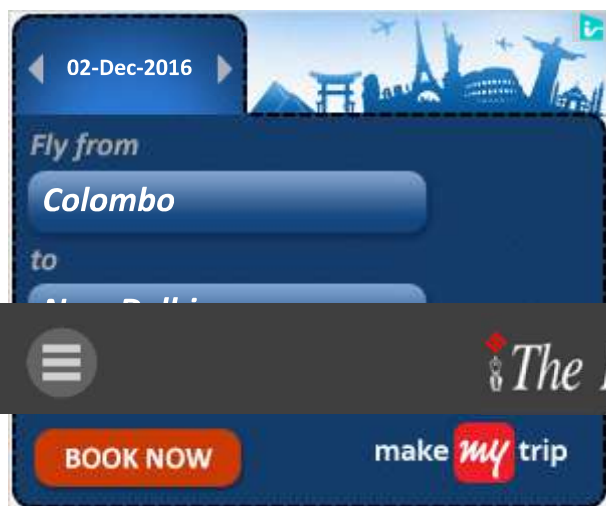
The NHRC has also directed to collect the documents related to the case, including the statement of the victim recorded before the magistrate, and the report of her medical examination.

NHRC took the cognizance of the case while going through a complaint it received along with a news article on December 5, 2013.

The complaint alleged that on November 5, a 30-year-old mother was gangraped by some men at her village in Firozabad district.

The next day her father went to the Eka police station to get an FIR lodged, but the police allegedly refused to take the complaint, according to the Commission. The

police lodged an FIR after 13 days, on November 19, 2013, when IG, Allahabad, directed Firozabad SP to register a case.



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The victim was medically examined but still no further action was taken by the police against the accused as Firozabad and Mathura police fought over the jurisdiction of the place where the incident happened, the NHRC said.

The case was initially lodged at the Mahila police station in Firozabad district but was later transferred to Mathura district, stated the Commission.

According to the NHRC, the police neither arrested the accused, nor interrogated them, and closed the investigation in the case while giving the reason that the victim was a “woman of questionable character”.

Recording its extreme distress at such a “mentality of UP Police Officers”, which it held as discernible in this case, the Commission has stressed that every woman, irrespective of her character has a legal protection against violation of her body.

“Therefore, merely because she is a woman of easy virtue, her evidence cannot be thrown over board. At the most, the officer called upon to evaluate her evidence would be required to administer caution unto himself before accepting her evidence,” it said.

The Commission has stated that the incident was alleged to have happened when the legal provisions in the law relating to sexual assault under the Indian Penal Code were already amended.

“In a scathing observation about the functioning of the state police, the Commission, on the basis of the material on record, found that at first, there was a delay in registration of FIR in the matter. Thereafter, the case, even as it was oscillating between Firozabad and Mathura police, was not properly investigated. Instead, the UP Police authorities tried to malign the character of the victim,” stated the commission.

It further stated that in view of the “seriousness of the allegations about the totally



of the complainant, the victim, her husband and witnesses, about the allegations contained in the case filed at the Mahila Police Station (Firozabad) and submit a detailed report within four weeks.

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