

Sanstha Maryadit, decided on 16.09.2016 in M.Cr. C. Nos. 2675/06, 5927/2007 and 6597/2008.

- 3. Kajal Sen & Ors. Vs. State of Assam, (2002) 2 Supreme Court Cases 551.**
- 4. Raj Bahadur Vs. State, DRJ 1991(21), decided on 14.08.1991.**
- 5. Ram Dayal Vs. State of Madhya Pradesh, (1993 M.P.L.J 532).**
- 6. Arjun Panditrao Khotkar Vs. Kailash Kushanrao Gorantyal & Ors, (2020 SCC Online SC 571)**
- 7. MCD Vs. State of Delhi & Anr, (2005) 4 SCC 605.**
- 8. Krishan Kumar Malik Vs. State of Haryana [(2011) 7 SCC 130].**
- 9. Jitender Vs. State (NCT of Delhi) [2017 SCC Online Del 8723].**
- 10. Vishakha & Ors. Vs. State of Rajasthan & Ors. [(1997) 6 SCC 241].**
- 11. Medha Kotwal Lele & Ors Vs. Union of India & Ors. [2013] 1 SCC 297].**
- 12. Binu Tamta & Anr. Vs. High Court of Delhi & Ors. [2014] 13 SCC 257].**
- 13. Aires Rodrigues Vs. Subodh Kantak [2009 SCC OnLine Bom 1309].**
- 14. Varghese Vs. Matrubhumi Printing & Publishing Co. (P) Ltd. [2019 SCC OnLine Ker 2665].**

15. Harbhajan Singh Vs. State of Punjab [AIR 1966 SC 97].
16. Jeffrey J. Diermeier Vs. State of West Bengal [2010 (6) SCC 243].
17. Rishi Kesh Singh & Ors. Vs. State, [1970 Cri LJ 132 (FB)].
18. K.M Nanawati Vs. State of Maharashtra [AIR 1962 SC 605].
19. Dahyabhai Chhaganbhai Thakkar Vs. State of Gujarat [AIR 1964 SC 1563].

36. **Legal Provisions**

Section 6 of The Indian Evidence Act, 1872

Relevancy of facts forming part of same transaction.—Facts which, though not in issue, are so connected with a fact in issue as to form part of the same transaction, are relevant, whether they occurred at the same time and place or at different times and places.

Section 9 of The Indian Evidence Act, 1872

Facts necessary to explain or introduce relevant facts. —Facts necessary to explain or introduce a fact in issue or relevant fact, or which support or rebut an inference suggested by a fact in issue or relevant fact, or which establish the identity of anything or person whose identity is relevant, or fix the time or place at which any fact in issue or relevant fact happened, or which show the relation of parties by whom any such fact was transacted, are relevant in so far as they are necessary for that purpose.

Section 499 of The Indian Penal Code

Defamation.—Whoever, by words either spoken or intended to be read, or by signs or by visible representations, makes or publishes any imputation concerning any person intending to harm, or knowing or having reason to believe that such imputation will harm, the reputation of such person, is said, except in the cases hereinafter expected, to defame that person.

Explanation 1.—It may amount to defamation to impute anything to a deceased person, if the imputation would harm the reputation of that person if living, and is intended to be hurtful to the feelings of his family or other near relatives.

Explanation 2.—It may amount to defamation to make an imputation concerning a company or an association or collection of persons as such.

Explanation 3.—An imputation in the form of an alternative or expressed ironically, may amount to defamation.

Explanation 4.—No imputation is said to harm a person's reputation, unless that imputation directly or indirectly, in the estimation of others, lowers the moral or intellectual character of that person, or lowers the character of that person in respect of his caste or of his calling, or lowers the credit of that person, or causes it to be believed that the body of that person is in a loathsome state, or in a state generally considered as disgraceful.

Illustrations

(a) A says—"Z is an honest man; he never stole B's watch"; intending to cause it to be believed that Z did steal B's watch. This is defamation, unless it fall within one of the exceptions.

(b) A is asked who stole B's watch. A points to Z, intending to cause it to be believed that Z

stole B's watch. This is defamation unless it fall within one of the exceptions.

(c) A draws a picture of Z running away with B's watch, intending it to be believed that Z stole B's watch. This is defamation, unless it fall within one of the exceptions.

First Exception.—Imputation of truth which public good requires to be made or published.—It is not defamation to impute anything which is true concerning any person, if it be for the public good that the imputation should be made or published. Whether or not it is for the public good is a question of fact.

Second Exception.—Public conduct of public servants.—It is not defamation to express in a good faith any opinion whatever respecting the conduct of a public servant in the discharge of his public functions, or respecting his character, so far as his character appears in that conduct, and no further.

Third Exception.—Conduct of any person touching any public question.—It is not defamation to express in good faith any opinion whatever respecting the conduct of any person touching any public question, and respecting his character, so far as his character appears in that conduct, and no further. Illustration It is not defamation in A to express in good faith any opinion whatever respecting Z's conduct in petitioning Government on a public question, in signing a requisition for a meeting on a public question, in presiding or attending a such meeting, in forming or joining any society which invites the public support, in voting or canvassing for a particular candidate for any situation in the efficient discharges of the duties of which the public is interested.

Fourth Exception.—Publication of reports of proceedings of Courts.—It is not defamation to publish substantially true report of the proceedings of a Court of Justice, or of the result of any such proceedings. Explanation.—A Justice of the Peace or other officer holding an inquiry in open Court preliminary to a trial in a Court of Justice, is a Court within the meaning of the above section.

Fifth Exception.—Merits of case decided in Court or conduct of witnesses and others concerned.—It is not defamation to express in good faith any opinion whatever respecting the merits of any case, civil or criminal, which has been decided by a Court of Justice, or respecting the conduct of any person as a party, witness or agent, in any such case, or

respecting the character of such person, as far as his character appears in that conduct, and no further.

Illustrations

(a) A says—"I think Z's evidence on that trial is so contradictory that he must be stupid or dishonest". A is within this exception if he says this is in good faith, in as much as the opinion which he expresses respects Z's character as it appears in Z's conduct as a witness, and no further.

(b) But if A says—"I do not believe what Z asserted at that trial because I know him to be a man without veracity"; A is not within this exception, in as much as the opinion which he express of Z's character, is an opinion not founded on Z's conduct as a witness.

Sixth Exception.—Merits of public performance.—It is not defamation to express in good faith any opinion respecting the merits of any performance which its author has submitted to the judgment of the public, or respecting the character of the author so far as his character appears in such performance, and no further.

Explanation.—A performance may be substituted to the judgment of the public expressly or by acts on the part of the author which imply such submission to the judgment of the public.

Illustrations

(a) A person who publishes a book, submits that book to the judgment of the public.

(b) A person who makes a speech in public, submits that speech to the judgment of the public.

(c) An actor or singer who appears on a public stage, submits his acting or signing in the judgment of the public.

(d) A says of a book published by Z—"Z's book is foolish; Z must be a weak man. Z's book is indecent; Z must be a man of impure mind". A is within the exception, if he says this in good faith, in as much as the opinion which he expresses of Z respects Z's character only so far as it appears in Z's book, and no further.

(e) But if A says—"I am not surprised that Z's book is foolish and indecent, for he is a weak man and a libertine". A is not within this exception, in as much as the opinion which he

expresses of Z's character is an opinion not founded on Z's book.

Seventh Exception.—Censure passed in good faith by person having lawful authority over another.—It is not defamation in a person having over another any authority, either conferred by law or arising out of a lawful contract made with that other, to pass in good faith any censure on the conduct of that other in matters to which such lawful authority relates.

Illustration

A Judge censuring in good faith the conduct of a witness, or of an officer of the Court; a head of a department censuring in good faith those who are under his orders; a parent censuring in good faith a child in the presence of other children; a school-master, whose authority is derived from a parent, censuring in good faith a pupil in the presence of other pupils; a master censuring a servant in good faith for remissness in service; a banker censuring in good faith the cashier of his bank for the conduct of such cashier as such cashier—are within this exception.

Eighth Exception.—Accusation preferred in good faith to authorised person.—It is not defamation to prefer in good faith an accusation against any person to any of those who have lawful authority over that person with respect to the subject-matter of accusation.

Illustration

If A in good faith accuse Z before a Magistrate; if A in good faith complains of the conduct of Z, a servant, to Z's master; if A in good faith complains of the conduct of Z, and child, to Z's father—A is within this exception.

Ninth Exception.—Imputation made in good faith by person for protection of his or other's interests.—It is not defamation to make an imputation on the character of another provided that the imputation be made in good faith for the protection of the interests of the person making it, or of any other person, or for the public good.

Illustrations

(a) A, a shopkeeper, says to B, who manages his business—"Sell nothing to Z unless he pays you ready money, for I have no opinion of his honesty". A is within the exception, if he has made this imputation on Z in good faith for the protection of his own interests.

(b) A, a Magistrate, in making a report of his own superior officer, casts an imputation on the

character of Z. Here, if the imputation is made in good faith, and for the public good, A is within the exception.

Tenth Exception.—Caution intended for good of person to whom conveyed or for public good.—It is not defamation to convey a caution, in good faith, to one person against another, provided that such caution be intended for the good of the person to whom it is conveyed, or of some person in whom that person is interested, or for the public good.

Section 500 of The Indian Penal Code

Punishment for defamation.—Whoever defames another shall be punished with simple imprisonment for a term which may extend to two years, or with fine, or with both.

International & National legislative frameworks related to sexual-harassment

India's participation in the various international forums and the ratification of the international treaties on the human rights of women is a testimony of the commitment to ensure dignity and equality of women in all spheres of life as clearly envisaged in the Indian Constitution.

The following standards and frameworks include key contents on promoting equality and addressing sexual harassment:

Universal Declaration of Human Rights, 1948: Articles 1, 2 and 7 of UDHR. 1948 speak about equality in dignity, rights and freedoms and equal protection against any discrimination.

ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111): aims to protect against discrimination in employment and occupation on the grounds of sex, race, colour, religion, political opinion, national or social origin. In its general observation of 2003, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has emphasized that sexual harassment is a form of sex discrimination and should be addressed within the requirements of Convention No. 111. In the view of the gravity and serious repercussions of sexual harassment, the

CEACR has urged governments to take appropriate measures to prohibit sexual harassment in employment and occupation and has provided elements of a definition of sexual harassment.

International Covenant on Economic, Social and Cultural Rights, 1966 enjoins all states to guarantee rights enunciated in it without discrimination of any kind. States must ensure equality between women and men for the enjoyment of all economic, social and cultural rights established in the Covenant. The right to fair conditions of work is enshrined in Article 7.

United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979: Article 11 prescribes States to eliminate discrimination against women in the field of employment and to ensure equality of men and women. While sexual harassment is not yet covered by a specific international instrument, the CEDAW Committee in its General Recommendation No. 19 in 1992 has qualified it as a form of discrimination on the basis of sex and as a form of violence against women. Recognizing that equality in employment can be seriously affected when women are subjected to gender specific violence, such as sexual harassment in the workplace, it called on States to take measures to protect women from sexual harassment.

ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169):

Governments shall, within the framework of national laws and regulations, and in co-operation with peoples concerned, adopt special measures to ensure that workers enjoy equal opportunities and equal treatment in employment for men and women, and protection from sexual harassment (Article 20.1-3 (d)).

ILO Decent Work for Domestic Workers Convention, 2011 (No.189):

Each Member shall take measures to ensure that domestic workers enjoy effective

protection against all forms of abuse, harassment and violence (Article 5).

ILO Resolution on Equal Opportunities and Equal Treatment for Men and Women in Employment, ILC, 71st Session, 1985 recommended that measures be taken to extend social protection to women and men concerning reproductive hazards and sexual harassment.

UN Declaration on the Elimination of Violence against Women, 1993:

Article 1 of this Declaration defined “Violence against women” as any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. It also included sexual harassment and intimidation at work, in educational institutions and elsewhere as part of violence against women. The Declaration stated that such violence encompasses, but is not limited to, the following: “...physical, sexual and psychological violence in the community including rape, sexual harassment and intimidation at work, in education institutions and elsewhere”.

The Beijing Platform of Action drawn at the United Nations’ Women’s Conference in Beijing in 1995 called to advance women’s rights and to eliminate violence against women including sexual harassment at work.

ILO HIV and AIDS Recommendation, 2010 (No.200): Measures should be taken in or through the workplace to reduce the transmission of HIV and alleviate its impact by: ensuring actions to prevent and prohibit violence and harassment in the workplace (Article 14 (c)).

Indian legislative frameworks

In India, the Vishaka Guidelines was the first ever legal action that provided a broad framework for preventing and addressing cases of sexual

harassment of women within the workplace. It recognized that sexual harassment of women in the workplace resulted in the violation of their fundamental rights of gender equality, right to life and liberty, and the right to carry out any occupation, trade or profession.

Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013

In 2012, India saw increased and strong calls for addressing violence against women, with the increasing number of reported cases of sexual harassment and violence against women. In this context, the Sexual Harassment of Women (Prevention, Prohibition and Redressal) Act 2013 was enacted to provide protection against sexual harassment of women at workplace and for preventing and addressing complaints of sexual harassment. The Act recognizes that sexual harassment results in the violation of a woman's fundamental right to equality under Articles 14, 15 and 21 of the Constitution which provide for equality before law, prohibition of discrimination on grounds of religion, race, caste, sex or place of birth and protection of life and personal liberty. The Act includes key definitions and measures to be taken by different stakeholders for preventing and addressing sexual harassment at the workplace. Section 28 of the Act mentions that its provisions shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

Constitution of India

The core objective of the Constitution of India is to secure to all its citizens Justice, Liberty, Equality, Fraternity and Dignity as is clearly laid down in the Preamble to the Constitution of India.

Fundamental rights vested by the Constitution

- Article 14: Provides for equality before the law and the equal protection of the law. It includes gender equality, which is a universally recognized basic human

right.

- Article 15: Prohibits discrimination on grounds of religion, race, caste, sex or place of birth.
- Article 19 (1) (g): All citizens shall have the right to practice any profession, or to carry on any occupation, trade or business.
- Article 21: Enshrines the right to life and personal liberty.
- Article 51 provides that the state shall endeavor to foster respect for international law and treaty obligations
- Article 253 provides that the Parliament has the power to give effect to international agreements or decisions made at International Conferences.

37. **THE REASON FOR DECISION**

The present complaint Ex. CW1/7 of criminal defamation of the complainant filed on the basis of publication of document Ex. CW1/8 dated 12.10.2017 without naming the complainant, the publication of document Ex. CW1/9 dated 08.10.2018 while disclosing the name of complainant M.J Akbar and linking it with previous publication of article Ex. CW1/8, the publication of tweet dated 10.10.2018 Ex. CW1/10, the tweet dated 13.10.2018 Ex. CW1/11 and it is contended by the complainant that after publication of the document Ex. CW1/8 to Ex. CW1/11, the same were widely circulated in various online media platform, online news, social media platform and other platforms. It is contended that complainant was defamed by the accused Priya Ramani by publication of tweets and article published as well as distributed at her behest. It is further contended by the complainant that accused had made false, derogatory and malicious imputations against complainant M.J Akbar in order to defame the complainant with sole ulterior motive of maligning his reputation and his political standing, in furtherance of her own vested interest and underlying agenda. It is further contended that defamatory publication made by the accused, by her design, been circulated, through electronic and print media but not limited to the Vogue Magazine, Twitter, Livemint, The Washington Post, Firstpost etc. It is further contended by the complainant that allegation

as mentioned in document Ex. CW1/8 and Ex. CW1/9 were allegedly related to the incident occurred more than two decades back and accused herself admitted in her publication that complainant did not 'do' anything to her and further, accused Priya Ramani also did not lodge any complaint to any lawful authority which reflect that the defamatory article and publication were made and published with intention to malign the reputation of complainant. It is further contended that the publication of tweet and article Ex. CW1/8, Ex. CW1/9, Ex. CW1/10 and Ex. CW1/11 is not disputed by the accused Priya Ramani. It is argued and contended by the complainant that complainant is a man of stellar and impeccable reputation and he proved by examining himself as well as by examining witnesses CW2 to CW5 regarding the same. Complainant contended that accused Priya Ramani committed the offence of defamation and took false defence and alternative defence and produced inadmissible evidence, hearsay evidence and irrelevant evidence in support of her false defence and on the other hand complainant duly proved the defamatory publication as published by the accused, the stellar reputation of the complainant and defamation caused by the publication of the accused to the complainant, so accused is liable to be convicted for commission of offence of defamation as punishable U/s 500 IPC.

Accused Priya Ramani took the defence that publication of article and tweet were made for public good regarding the true incident of her sexual-harassment of December, 1993 at Oberoi Hotel, Mumbai when complainant M.J Akbar called the accused Priya Ramani for interview at 07.00 pm in his bed room of the hotel and sexually harassed her. Accused also took the defence that she disclose the conduct of the complainant M.J Akbar by way of her publication and also raised the concern and question of sexual-harassment of women in general at workplace. Accused also took the defence that she made publication in good faith for protection for other women's interest in general regarding sexual-harassment at workplace. Accused contended that her publication covered under the exception 1, 3 and 9 of the Section 499 of IPC. Accused also contended that complainant is not a man of stellar and impeccable reputation and accused did not defamed him by publishing the tweets and article.

Complainant argued and contended that entire article Ex. CW1/9 and subsequent tweets Ex. CW1/8, Ex. CW1/10 and Ex. CW1/11 were per se defamatory and

were made with intention to defame the complainant. It is further contended by the complainant that tweet Ex. CW1/11 regarding the resignation of complainant was untrue on the date of publication and the same was published with intention to further defame the complainant and same was published without any enquiry and investigation. It is further contended by the complainant that the publication of defamatory material by the accused was further disseminated widely through re-tweets and publication of articles Ex. CW1/12 to Ex. CW1/14 and accused defamed the complainant and lowered his reputation in the large section of society.

On perusal and on the joint reading of document Ex. CW1/8 and Ex. CW1/9, the Court is of considered view that its contents are defamatory in nature and article Ex. CW1/9 find no mention regarding the clarification and marking distinction that particular portion of the article pertains to the complainant and other portion pertains to other male bosses in general. Hence, the defence of the accused regarding publication of only particular portion qua the complainant in document Ex. CW1/9 and remaining portion with respect to the other male bosses is rejected. On the date of publication of document Ex. CW1/11, the complainant admittedly not resigned from his post as a Minister of State in External Affairs, Government of India, however, accused took the defence that she published Ex. CW1/11 on the basis of her enquiry of online news report and she also admitted during her examination in the Court that Ex. CW1/11 was the honest mistake on her part, hence, the Court accept the defence and contention of the accused regarding publication of document Ex. CW1/11 and Court also accept the contention of accused that she conducted reasonable man enquiry and then published Ex. CW1/11.

It is contended and argued by the complainant that accused took alternate defence and her such defence is liable to be rejected, however, it is settled position of law that accused may take alternate defence and accused has only to establish the test of preponderance of probability of her defence and not to qualify the test of proving her defence beyond reasonable doubt, hence, the contention of complainant regarding taking alternative defence by accused is rejected.

The complainant contended that accused made false allegation in her Vogue Article Ex. CW1/9 and later on link the article with her tweet Ex. CW1/8 in order to defame the complainant. It is further contended by the complainant that no such meeting or interview or incident of sexual-harassment took place against the accused in December, 1993 at Oberoi Hotel, Bombay and due to the same reason, no complaint was lodged by the accused after the alleged sexual-harassment of the accused by the complainant even after two decades of the date of alleged incident. The complainant further contended that he is a reputed person of society and same is duly proved by complainant himself as well as by examining the other witnesses of complainant CW2 to CW5 and accused put her false defence by examining herself as DW1 and her two other defence witnesses DW2 and DW3. The accused on the other hand contended that she disclosed the true incident of sexual-harassment against her by the complainant at Oberoi Hotel, Bombay in December, 1993 and she disclosed the conduct of complainant and sexual-harassment of the women in general at workplace and she made publication in good faith for protection of other woman's interest in general regarding sexual-harassment at workplace. Accused also contended that the claim of complainant having impeccable and stellar reputation was demolished through the testimony of accused DW1 and testimony of DW3 Ghazala Wahab. Accused also contended that DW3 Ghazala Wahab was also a victim of sexual-harassment at workplace by the complainant M.J Akbar and she disclosed the sexual-harassment done by complainant when she was working as subordinate with the complainant M.J Akbar. Accused also contended that there was no mechanism at the time of incident to redress sexual-harassment at workplace committed against her by the complainant and later on she chooses not to file any complaint against complainant considering his powerful social position and status. It is also contended by the accused that DW3 Ghazala Wahab also did not lodge the complaint against the complainant considering her social status, powerful position of the complainant, social circumstances and she opted to remain silent to avoid social stigma attached with the sexual-harassment. Accused contended that various other women who were subordinates and who worked with the complainant also disclosed the sexual-harassment committed against them by the complainant and the same found mention in the document of complainant Ex. CW1/14,

however, complainant selectively chooses the accused Priya Ramani and filed the case of criminal defamation only against her and not against the other women, some of whom even published regarding the sexual-harassment by the complainant against them prior to the publication of the accused. Accused contended that incident of sexual-harassment against her by the complainant M.J Akbar was duly proved by her own testimony and testimony of the witness DW2 Niloufer Venkatraman and DW2 corroborated the presence of the accused in Oberoi Hotel at 07.00 pm in December, 1993 and her meeting with the complainant M.J Akbar regarding her job interview. Accused also contended that after the sexual-harassment by the complainant in his bed room of the Oberoi Hotel, Bombay, when she returned, she disclosed the fact and circumstances of the sexual-harassment to DW2. The Court accept the contention of the accused and the possibility of defence of the accused that she disclosed the truth regarding the incident of sexual-harassment against her at the Oberoi Hotel, Bombay in December, 1993 on the basis of testimony of accused DW1 and its corroboration by the testimony of DW2 Niloufer Venkatraman. The Court also accept the contention of the accused that complainant is not a man of stellar reputation on the basis of testimony of accused DW1 and testimony of DW3 Ghazala Wahab. It cannot be ignored that most of the time, the offence of sexual-harassment and sexual abuse committed in the close doors or privately. Sometimes the victims herself does not understand what is happening to them or what is happening to them is wrong. Despite how well respected some persons are in the society, they in their personal lives, could show extreme cruelty to the females. The Court takes consideration of the systematic abuse at the workplace due to lack of the mechanism to redress the grievance of sexual-harassment at the time of the incident of sexual-harassment against the accused Priya Ramani and witness Ghazala Wahab prior to the issuance of Vishaka Guidelines by Hon'ble Supreme Court of India and enactment of The Sexual-Harassment of women at workplace (Prevention, Prohibition and Redressal) Act, 2013, or their option to not lodge the complaint of sexual-harassment due to the social stigma attached with the sexual-harassment of women. The time has come for our society to understand the sexual abuse and sexual-harassment and its implications on victims. The society should understand that an abusive person is just like rest of the other person and he

too has family and friends. He can also be well respected person of the society. The victims of the sexual-abuse not even speak a word about abuse for many years because sometimes she herself have no idea that she is a victim of abuse. The victim may keep believing that she is at fault and victim may live with that shame for years or for decades. Most of the women who suffer abuse do not speak up about it or against it for simple reason “ The Shame” or the social stigma attached with the sexual-harassment and abuse. The sexual abuse, if committed against woman, takes away her dignity and her self confidence. The attack on the character of sex-abuser or offender by sex abuse victim, is the reaction of self defence after the mental trauma suffered by the victim regarding the shame attached with the crime committed against her. The woman cannot be punished for raising voice against the sex-abuse on the pretext of criminal complaint of defamation as the right of reputation cannot be protected at the cost of the right of life and dignity of woman as guaranteed in Indian Constitution under article 21 and right of equality before law and equal protection of law as guaranteed under article 14 of the Constitution. The woman has a right to put her grievance at any platform of her choice and even after decades. It is shameful that the incidents of crime and violence against women are happening in the country where mega epics such as “*Mahabarata*” and “*Ramayana*” were written around the theme of respect for women. In “*Balyamiki Ramayan*”, the reference of great respect is found, when Prince *Laxman* was asked to describe about Princesses *Sita*, he answered that he remembers only her feet as he had never looked beyond that”. In the “*Aranaya Kand of Ramcharitmanas*”, a reference of noble tradition of protecting, respecting and promoting the dignity of women is found, and it refers about noble '*Jatayu*' (the mythical bird) when witnessed the crime of abduction of princesses '*Sita*', he came swiftly to protect princesses *Sita* and consequently his wings were cut down by *Ravan*, the abductor of the *Sita*. The noble word '*Jatayu*' though was wounded and was dying, but he lived long enough to pass the information of abduction of princesses *Sita* to the Prince *Ram* and Prince *Laxman*. Similarly, in “*Sabha Parv of Mahabharata*”, the reference is found about the appeal of queen *Dropati* for justice to the *Kuru Raj Sabha* and she questioned the legality of her treatment of being dragged by *Duhashana* into the dice hall. The subtlety of the questions, asked in a situation of intense personal trauma, is indicative of

her cerebral power and her ability of sharp and logical analysis. The Indian women are capable, pave the way for them to excel, they only require the freedom and equality. The 'glass ceiling' will not prevent the Indian women as a road lock for their advancement in the society, if equal opportunity and social protection be given to them. As per the Economic Survey Report of the year 2020-2021 presented in the Parliament, the pan Indian works force participation rate of female in the production age (15 to 59 years was 26.5% in the year 2018-2019 as compared to 80.3% for male). It is suggested in the said Report that in order to incentive more women to join the work force, apart from the investment in the institutional support and other areas, safe work environment needs to be made. The Indian Parliament has enacted various laws for protection, welfare and for providing safe environment to the women, such as The Immoral Traffic (Prevention Act) 1956, 'The Indecent Representation of Women' (Prohibition) Act, 1986, The Protection of Women from Domestic Violence Act, 2005, The Sexual-Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013, Muslim Women (Protection of Right on Marriage) Act, 2019. The various schemes like Ujwala Yojna and Jandhan Yojna are the other positive steps of the Government of India to empower women at grass root level.

38. **CONCLUSION** INDIAN LEGAL NEWS

In view of the above discussion, the Court is of the considered view that case of complainant regarding commission of offence punishable U/s 500 IPC against the accused Priya Ramani is not proved and she is acquitted for the same.

39. Accused is directed to furnish bail bonds and surety bonds for sum of Rs. 10,000/- each in terms of Section 437-A Cr.PC.

40. File be consigned to Record Room after due compliance.

Announced in the open Court,

On 17th , February, 2021.

**(Ravindra Kumar Pandey)
ACMM-01,RADC/New Delhi**