BLOGS

Quiz on Rape and Unnatural Offences

Harshita Gulati · 14 Oct 2021

Choose the correct option from the given options:

A. Mark the correct statement

a. Sexual intercourse by a man with a woman with or without her consent when is under the age of 18 years amounts to rape

b. Sexual intercourse by a man with a woman of any age without her consent amounts to rape

c. Sexual intercourse by a man with his own wife under 15 years of age without her consent is not rape

d. (a) and (b) both are correct

Ans. d

Rationale: Sexual intercourse by a man with his wife who is above 15 years of age shall not constitute to rape even if it was committed against her will on account of matrimonial consent she has given which she cannot retract.

B. In India, can husband be held guilty of committing the rape on his wife?

a. Yes, where the wife is minor and is judicially separated

b. No, it is the right of the husband to have access to his wife

c. Yes, but only when the wife is judicially separated

d. Yes, but only when the wife is under 15 years of age or is judicially separated.

Ans. d

Rationale: Sexual intercourse by a man with his own wife who is above 15 years of age shall not constitute to rape even if it was committed against her will on account of matrimonial consent she has given which she cannot retract but if a man has sexual intercourse with his own wife who is living separately under the decree of judicial separation without her consent shall be liable he shall be punished with imprisonment up to 2 years and fine.

C. ‘P’ a music teacher told R one of his girl students that there is an operation for improving and that if she agreed; he would perform it on her. She agreed. On the basis of her consent P raped R. P is guilty for:

a. No offence, as P raped her with her consent

b. No offence, as R thought the act was for improving her voice

c. No offence, as R should have known that the consent might injure her

d. Rape, as R agreed to P’s deeds because she thought that it was to improve her voice

Ans. d

Rationale: Consent given under coercion, misrepresentation, mistake of fact or fraud is no consent at all.

D. (A): Rape is a stigma on a woman hence is a punishable offence

(R): Sexual intercourse by a man with his wife is not rape

a. Both (A) and (R) are true and (R) is the correct explanation of (A)

b. Both (A) and (R) are true and (R) is not the correct explanation of (A)

c. (A) is true but (R) is false

d. (A) is false but (R) is true

Ans. b

Rationale: A rapist not only violates the victim’s personal integrity but leaves indelible marks on the very soul of the helpless female. Rape means forcible ravishment of a woman without her consent or against her will.

E. ‘A’ promises B his student to marry her and induced her to cohabit with him by giving a false assurance of marriage. Later ‘A’ refuses to recognize ‘B’ as his wife. A is guilty of:

a. Rape

b. Adultery

c. Outraging modesty of a woman

d. No offence

Ans. a

Rationale: If a man has consensual sex with a woman with the intention to marry her, but is unable to marry her due to unavoidable circumstances then it would not amount to rape but if he had mala fide motives and had made a false promise to this effect only to satisfy lust then he shall be liable for rape. A medical procedure or intervention shall not constitute rape.



F. 'A' entered the room of a girl 'B' aged about eight months who was sleeping and injured her private parts. 'A' is liable for:

a. No offence

b. Sexual assault

c. Rape

d. House trespass

Ans. c

Rationale: A man is said to commit "rape" if he penetrates his penis, to any extent, into the vagina, mouth, urethra or anus of a woman or makes her to do so with him or any other person without her consent. The expression 'without her consent' implies that the woman is incapable of knowing the nature of the act and thus legally unable to give rational consent or being aware of

its nature.

G. ‘A’ does sexual intercourse with a widow of 16 years of age with her consent. A has:

a. Committed rape

b. Committed adultery

c. Not committed rape

d. None of the above

Ans. a

Rationale: A man is said to commit “rape” if he penetrates his penis, to any extent, into the vagina, mouth, urethra or anus of a woman or makes her to do so with him or any other person without her consent. He shall be punished if he commits rape with a girl with or without her consent who is below eighteen years of age.

H. ‘A’ has married ‘B’ and cohabits with her by concealing the fact that he has a living spouse X whom he did not give divorce. A has committed:

a. Adultery with B

b. Rape with B

c. Sodomy with B

d. None of the above

Ans. b

Rationale: Sexual intercourse with a wife whose marriage with him is void as he was already married and had a spouse living but this fact was concealed by the husband from second wife amounts to rape.

I. An offender of rape may be punished with death if he:

a. Leaves the victim in a vegetative situation

b. Repeats the offence of rape

c. Both a and b

d. None of the above

Ans. c

Rationale: A person may be punished with death if the offender after rape leaves the victim in a vegetative condition or where the accused is a repeat offender i.e. after being convicted rape he again commits rape.

J. A commits anal intercourse with her bitch. A is liable for:

a. Sodomy

b. Buggery

c. Rape

d. Bestiality

Ans. d

Rationale: Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished with imprisonment for life or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine'. It punishes unnatural offences like sodomy, bestiality (sexual intercourse with animal), and buggery.

Visit our complete collection of legal reasoning questions and posts.

Read our legal reasoning post on void agreements and the practice questions here.

Read CLATapult's post on offer and acceptance here. Also, try their mocks for more legal reasoning practice questions.

Visit CLATalogue for more legal reasoning practice questions for CLAT 2022.

First published on November 15, 2020.