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'Mom forced me to frame papa on rape charge'

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NEW DELHI: Fact can, indeed, turn out to be stranger than fiction. Check out this real-life story.

A man was sentenced to five years' rigorous imprisonment by a lower court for raping his daughter. The high court found hole prosecution story and acquitted him.

The case moved to the Supreme Court and the apex court said such a crime couldn't go unpunished, awarding the accused a

And now the daughter, on whose complaint the father is in prison, has confessed in a sworn affidavit that her dad was innocent.

She said she had framed him at the instance of her mother whose relationship with her father was strained. This bizarre case—say they've not heard of a more weird twist to a case—has raised several questions.

What happens to the punishment given by the SC now that its very basis has been dissolved? Will the daughter and the mother be punished for misleading the court and tormenting the man?

How common is abuse of the law in shocking cases like rape and dowry? How rigorous is police investigation into such complaints that of Asha Ram, about whose alleged crime an anguished Supreme Court had expressed outrage, saying he had destroyed sacred relations".

Only last week it had awarded him a life term, setting aside a Himachal Pradesh high court judgment which had disbelieved the story and had acquitted him.

Wife may get away lightly

In the West, perjury, that is, lying on oath before a court, is considered a serious crime. Millionaire author Jeffrey Archer was given a term of one year and a fine of 1,75,000 pounds in the UK.

But it is doubtful if Asha Ram's wife, accused by her own daughter in an affidavit of forcing her to level rape charges against him, will face as stiff a penalty as Archer, because in India the punishment is not severe.

Under Indian laws, one who abets commission of perjury (in this case Asha Ram's wife) could face punishment as if she had committed the offence (Section 108 of the Indian Penal Code).

The Criminal Procedure Code (Section 344) provides that anybody accused of lying on oath or giving false evidence (in this case the daughter) could face a summary court trial and, if convicted, could face a jail term of up to three months and a fine of Rs 500. A minor at the time of trial could escape punishment.

'Cops too framed my father'

NEW DELHI: The daughter of a man, sent to jail for life for raping her, has now denied that he committed the act. The twist to the story about when a two-page affidavit by the 'victim', was annexed to the father's fresh petition before the apex court seeking a review, holding him guilty of the offence. He had all along claimed that he had been framed at the behest of his wife.

Narrating the facts before convicting Asha Ram, the apex court in its judgment had noted that on the intervening night of August

he had come home around midnight and asked one of his daughters, who was staying with him, to bring him dinner to his room. When she entered the room, the prosecution alleged, he had bolted the door and raped her after gagging her.

The daughter, now 31 (she was 14 at the time of the alleged rape), happily married and living with her husband and two children in the Nawanshah district of Punjab, has taken a considerable risk in making a sworn affidavit, for if it is proved that the affidavit is false, she will be in jail.

She said in her affidavit, "As there was a matrimonial dispute between my mother and father, my mother wanted to take revenge and compelled me to lodge a false case against my father...I was also compelled by my mother, under whose custody I was living, to depose in the court against my father that he committed rape. Accordingly, I deposed in the trial court against him."

She repeated in the statement that her father was innocent and said, "The police, in connivance with my mother, fabricated a case against my father that is, salwar and underwear, which did not belong to me as my father never committed rape upon me."

If her statement is true, it would hit at the root of the prosecution case and finally the judgment of the SC. Added to this is her statement that on the day of the incident, she had never even been into her father's room. The apex court was livid with the attitude of the HC despite what it thought was clear evidence against the accused.

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