

IPC, Section 376(2)(b) - Complainant had fallen in love with the appellant and that she needed a companion as she was a widow - Were having love affair and started residing together for quite some time - Appellant married some other woman - It is not her case that the complainant has forcibly raped her - She had taken a conscious decision after active application of mind to the things that had happened - Not a case of a passive submission in the face of any psychological pressure exerted and there was a tacit consent and the tacit consent given by her was not the result of a misconception created in her mind - Not a case of rape but consensual sex. - Do not make out a case against the appellant.

read **HERE** [\(2018\)2 Scej 1918](#)
