

A CASE STUDY AND CRITICAL ANALYSIS ON DISHA RAPE AND MURDER CASE

Dr. Ramendra Nath Verma¹

¹ (Ph.D. Awarded) Sharda School of Media Film & Entertainment Department of Mass Communication
Sharda University, Greater Noida

ABSTRACT

In India, rape ranks as the fourth most frequent crime against women. India is among the "countries with the lowest per capita rates of rape," according to certain reports. In many nations, including India, many rapes go undetected. Since a number of rape cases garnered extensive media coverage and sparked public outcry, there has been a rise in the willingness to report rape. Most notably, the Indian government changed its legal legislation for rape and sexual assault after the 2012 Delhi gang rape and murder. Rape is a terrible crime that affects not just the victim but also society as a whole. The Disha rape and murder case is the most recent instance of savage rape and murder. In this case, a 26-year-old female veterinarian was gang-raped, killed, and then set on fire by her assailants, shocking the nation. The four defendants in this case were slain in a gunfight with the police at Chatanpally, Shadnagar, which was close to the crime scene, the next week. The goal of the current study is to find out how aware girls in Prakasam district secondary schools are of using the Disha app. Numerous Indian and international studies were examined. In this study, the descriptive survey method was employed. One hundred female students enrolled in Prakasam district secondary schools make up the sample. To choose the sample, the researcher employed a stratified random sampling procedure. To find out what the students thought about the impact of technology on Prakasam district secondary school students, a questionnaire was created. Numerous statistical approaches, including the mean, SD, "t" test, and F-test, were employed to analyse the data. Class, medium, school administration, location, parental wealth, and parental qualification are among the variables that are used to compare the scores of the various groups. The findings are examined in the context of earlier studies; recommendations and ideas for additional research were also made.

Keywords: Rape, Women, Murder Awareness, Disha App, Girl Students.

1. INTRODUCTION

Brief details about the crime:

Disha was allegedly kidnapped by the accused after becoming stranded at the Shamshad tollgate on November 27, 2019. The police claim that the four approached her under the guise of offering assistance after deflating her two-wheeler's tyre and pulled her into a nearby walled, abandoned compound

As she passed out, the men allegedly poured whisky into her mouth and alternately raped her repeatedly. After that, they led her to a bridge that was still under construction a few km away and burned her corpse. The following day, the cops discovered her burned remains. The police apprehended the four accused on November 29: Md. Arif, Jollu Naveen, Jollu Siva, and Ch. Chennakeshavulu.

Public outrage:

All political parties, leaders, celebrities, and others demanded that the accused be executed for the rape and murder of the veterinary doctor, which rocked the country. There is no more inhumane act than this one, which has shamed the entire country, according to G. Kishan Reddy, the Minister of State for Home Affairs.

In order to guarantee quicker justice in rape and murder cases, he added, the government is prepared to alter the IPC and CrPC. Protests against the heinous rape and murder took place around the country. When the accused were taken to the local police station before being brought before the local magistrate, there were also unheard-of protests in Shadnagar Town.

On November 30 and December 1, thousands of demonstrators gathered at the Shadnagar police station, which is close to the Hyderabad-Bengaluru National Highway. They demanded that the police turn over the accused so that they may punish them. A Special Investigative Team of the Cyderabad Police was given custody of the accused for a week by Chief Minister K. Chandradekhar Rao, who also demanded a speedy investigation and trial of the matter. The four accused allegedly attempted to steal the guns in an attempt to escape, but were shot down in a shootout with the police near Chattanpalli on December 6, 2019.

Legal principles (rape and murder)

Rape is covered by Sections 375 and 376 of the Indian Penal Code (henceforth referred to as the IPC), the former of which defines rape and the later of which outlines its penalties.

The procedural requirements are as follows:

First off, a police officer must promptly accept a rape accusation, document the details, and file a formal complaint (FIR) in accordance with Section 154 of the Code of Criminal Procedure (henceforth referred to as the CrPC).

In accordance with Section 164 of the CrPC, the victim should also be taken for a medical checkup and have her statement documented. According to the ruling in *Lalita Kumari v. Govt. of U.P.*, police cannot refuse requests based on territorial jurisdiction. According to Section 166A IPC, a police officer who neglects to file a report of rape or other sexual assault against a woman faces a harsh jail sentence of at least six months and up to two years.

Additionally, in *State of Karnataka v. Shivanna*, the Supreme Court noted the alarming trend of rape and gang rape occurring repeatedly throughout the country. Second, Section 309 of the CrPC mandates that all investigations and trials must carry forward day-to-day unless the courts deem an adjournment essential for reasons that must be documented in writing. Unfortunately, though, this legal obligation has more often become an exception.

Application of laws in the case:

In this particular instance, the police authorities took too long to file the FIR, which is required by law as previously mentioned. The conviction of the feared criminals may be weakened if the FIR is not filed promptly. Nearly 400 meters from where Disha's body was burned, the four accused were shot and killed in the same spot. They allegedly attempted to attack the police and flee, which made the encounter necessary to save the police officers' lives. They were brought to the crime scene to gather evidence of the crime. In addition, the public's response to the four accused's murder was not entirely uniform. Despite the festivities, many individuals, particularly human rights activists, denounced the police officers' extrajudicial killings. The National Human Rights Commission (NHRC) authorized an investigation into the police incident after taking notice of the deaths of the four accused individuals.

Need and significance of the study

The Disha Act stipulates that trials for sexual offences must be finished within 14 working days of the charge-sheet filing date and investigations must be finished within 7 working days of the date of record. Under the new law, an appeal against a penalty must be decided within six months. It reduces the current four-month judgement period to twenty-one days by requiring the investigation to be finished in seven days and the trial to be held in fourteen working days if there is enough conclusive evidence.

The Act also amends Section 376 of the Indian Penal Code (IPC) of 1860 to require the death penalty for rape offences where there is adequate, indisputable proof. In situations of harassment of women on social or digital media, the Act provides a two-year term for the first conviction and a four-year sentence for the second and subsequent convictions. For this reason, a new Section 354 E will be added to the IPC, 1860. Additionally, it adds Sections 354 F and 354 G of the IPC to compel life imprisonment for other sexual offences against children. The "Women & Children Offenders Registry" will henceforth be an electronic registry created, operated, and maintained by the state of Andhra Pradesh. Law enforcement agencies around the nation will have access to this list once it is made public.

Objectives of the study

- 1 To investigate Hyderabad female students' awareness of the Disha app
2. To examine how students' opinions of awareness of using the Disha app among Hyderabad girls varies significantly depending on their demographic characteristics, such as class, medium, school administration, location, parental income, and parental qualification.

Hypotheses

1. There is no significant difference among the perceptions of students based on their class towards Awareness of Using Disha App among Girls Students in Prakasam District of Hyderabad. Students' opinions of awareness of using the Disha app among girls in Hyderabad's Prakasam District do not significantly change based on their class.
2. There is no discernible variation in how girl's students in Hyderabad's Prakasam District perceive awareness of using the Disha app depending on their medium of instruction.
3. Regarding awareness of using the Disha app, there is no discernible difference in the opinions of students in Hyderabad's Prakasam District based on their school administration.
4. The attitudes of pupils in Hyderabad's Prakasam District about awareness of using the Disha app do not significantly differ based on their locality.

Review of Literature

- 1 How do you feel about the encounter in the Disha case?
- 2 Was the execution of the Disha case genuine and compliant with the law?
- 3 Do you believe that the four accused's confrontation in the Hyderabad veterinary case of Disha was incorrect?
- 4 In the Disha case, who gave the police the order to confront the defendants?
- 5 What is your opinion of VC Sajjanar IPS's handling of the Disha case?
- 6 Do you think the public is exerting enough effort to guarantee justice and fairness in this case?

Research Questions

Studying relevant literature provides insight into the issue and aids the investigator in becoming familiar with the methods and approaches used by previous researchers to identify and address the issue being studied. compete with private and foreign sector banks, public sector banks must concentrate on their module of service.

It is evident that sexual harassment as a notion has been receiving some beneficial and constructive scholarly attention over the past few decades, according to Afroditi Pina, Theresa A. Gannon, and Benjamin Saunders.

Research Questions

Anagha Sarpotdar talked about a lab assistant who burned herself alive in front of the Delhi Secretariat as a protest her principal's sexual harassment. She made numerous objections, but they were all in vain. Together, Anu Lather, Shilpa Jain, and Sona Vikas investigated the state of women and girls in India. They concluded that both are doing well in India. The girl child needs to understand that she and her brother are the same. Aysan Sever talked about the connection between homelessness and abuse of women. He also talked about the government's efforts to combat homelessness and the misconceptions surrounding it.

According to C. Swarnalatha, sexual harassment at work affects both men and women in a variety of spheres and at all levels of employment. For some men, harassment takes the form of verbal abuse, whereas for women, it takes the form of abusive work environments. In contrast to age and institutional characteristics like academic fields and faculty and student gender ratios, Carina Maris Amaka Okeke acknowledged that women undergrads will report having experienced sexual harassment if they were (a) actually exposed to potentially harassing behaviors by faculty and students and (b) had a strong academic record and cultural gender stereotypes held by female undergraduates.

According to Carole J. Petersen, there was no law that forbade sexual harassment until 1995, but things have changed since then. Many features of the same kind are still present in various legal requirements today. Chatterjee Chaitali investigated how society views the Supreme Court's ruling on workplace sexual harassment and how it benefits women in the workplace. All women are susceptible to sexual violence, regardless of their marital status, employment, or level of education, according to Chesfeeda Akhtar's research. David Honing came to the conclusion that, in order to protect the health and safety of the students, Bethune-Cookman University needed to move quickly to address the instances involving the four instructors. The atmosphere of danger and fear that has been the cause of sexual harassment occurrences for a number of years needs to be changed. According to David J. Angelone, Daman Mitchell, and Kara Carola, a computer program was developed to investigate the potential factors influencing women's tolerance for sexual harassment. College students' normal intent experience was examined using real-world cues, such as sexually inappropriate massages. According to Divanshu Gupta, Nivedita Raju, Shyama Nair, Isha Dave Dhruv Malhotra, Disha Mehta, and Vishaka Chaudhary, victims of sexual harassment will undoubtedly avoid the media attention, the legal process, the delays, and the severity of the legal system.

In summary, Dr. Mukesh Yadav and Dr. Vinita Kushwaha stated that if section 375 IPC is amended, adultery will only be considered a rape, negating the requirement for sections 497 IPC and 198 (1) to (5) Cr. P.C. Dr. Mukesh Yadav came to the conclusion that there could be severe repercussions if a hospital administrator or employer ever permitted or encouraged harassment by keeping quiet. Promoting and defending the welfare of workers is a part of their duties. According to Dr. Richard Harris's findings, women are more likely than men to classify certain acts as sexual harassment on all criteria, with more than half of women in each comparison saying that some or all of the behaviours call for this classification.

According to Edward Apodaca and Brian H. Kleiner, sexual harassment is a common problem that businessmen encounter. Sexual harassment does occur in business environments. According to Gabriela Topa Contisano, J.F. Moral Dominguez, and Marco Depolo, it is impossible to overlook the close relationship between sexual harassment and organisational traits and work environment. It is important to consider that these factors give organisations a more direct preventative intervention mechanism. Georgina Gabor concentrated on the beneficial circumstances, methods of settlement, and results of the lawsuit. He described the well-known Equal Employment Opportunity Commission case of Mitsubishi Motor Manufacturing of America, which involved sexual harassment at work.

By considering the absence of a clear university policy, a proper definition of what sexual harassment is, and clearly defined mechanisms for reporting instances of sexual harassment, Happy Mickson Kayuni concluded that sexual harassment at the chancellor college is fatal. In the last ten years, a lot has been learnt about the many types, offenders, and victims of sexual harassment, according to Lilia M. Cortina and Jennifer L. Berdahl. Additionally, it teaches about the causes of sexual harassment and how it affects both individuals and organisations.

Design of the Study

The survey approach of descriptive research was used by the investigator. The questionnaire was thought to be an appropriate instrument for this investigation's data collecting. According to the students' perceptions, the questionnaire had forty-five statements.

Reliability and Validity

The split-half approach was used for the current investigation. Students' perceptions of the split half reliability coefficient for the awareness of using the Disha app among secondary school aged girls was 0.86. The scale's validity is based on both construct and content validity.

Administration of Tool

The tool was given to the sampled respondents by the investigator during a personal visit to the sampled schools. For analytical reasons, the information gathered via the questionnaire and interview schedule was utilised.

Data Collection

The tool was given to the sampled respondents by the investigator during a personal visit to the sampled schools. For analytical reasons, the information gathered via the questionnaire and interview schedule was utilised..

Statistical Techniques Used

Means and standard deviations were employed as the primary statistical techniques for analytical purposes. The investigator used the Statistical Package for Social Sciences (SPSS) to perform the "t"-test and "F-test (ANOVA)" in order to examine any significant differences between the socio-economic variables.

Table 1: Overall perceptions of girl students towards Awareness of using Disha APP among Girl Students in Secondary Schools of Prakasam District

N	Min. Score	Max. Score	Mean	Mean Percent	Std. Dev.
100	40	120	101.01	84.18	9.10

Table 1. observed that, girl students expressed high perceptions towards Awareness of using Disha APP among Girl Students in Secondary Schools of Prakasam District. The mean and mean percentages are found to be 101.01 and 84.18% on their total score.

Table 2. Significant difference among the perceptions of students based on their demographic variables towards Influence of Technology on Secondary School Students in Prakasam district

Variable	Category		Mean	Std. Dev.	t/F-value	p-value
Class	9th Class	50	100.84	9.61	0.26 ^{NS}	0.80
	10th Class	50	101.17	8.60		
Medium	English	40	102.40	8.71	1.99*	0.05
	Telugu	60	100.06	9.27		
Management	Government	50	99.67	8.99	3.24**	0.00
	Private	50	106.55	7.37		
Locality	Rural	50	101.76	9.17	2.12*	0.03
	Urban	50	106.55	7.37		
Parental Qualifications	Illiterate	25	102.61	8.20	3.15*	0.04
	Primary	30	98.95	8.87		
	Secondary	23	100.54	8.69		
	Inter	12	102.70	10.75		
	Degree	7	105.38	8.80		
	PG	3	96.29	11.06		
Parental Income	Below Rs. 5 Lakhs	85	100.72	8.97	2.01*	0.03
	Above Rs .5 Lakhs	15	102.50	9.75		

Findings of the study

- 1 The attitudes of girls in secondary schools in the Prakasam area regarding awareness of using the Disha app do not significantly differ based on their class.
- 2 Students' views of awareness of using the Disha app in secondary schools in the Prakasam area and English-medium schools varies significantly depending on the medium. Pupils thought it was higher than the others.
- 3 The judgements of students based on their school management regarding awareness of using the Disha app differ significantly among girls in secondary schools in the Prakasam district, with private school students perceiving it as higher than the others.
- 4 The attitudes of students in secondary schools in the Prakasam district and metropolitan areas about awareness of using the Disha app varies significantly depending on their locality. Pupils thought it was higher than the others.
- 5 There is a notable disparity in how students in Prakasam district secondary schools perceive awareness of using the Disha app depending on their parents' income, with students' parents' incomes exceeding Rs. 5 lakh being viewed as higher than the others.

Disha bill

The Disha Bill, 2019 (Andhra Pradesh Criminal Law (Amendment) Act 2019) was passed by the Andhra Pradesh assembly on December 13th, and it requires that cases involving crimes against women be resolved within 21 days. For rape convictions where there is sufficient proof to establish the crime beyond a reasonable doubt, the Bill also suggests the death penalty. Seven working days are allotted for the investigation, and fourteen working days are allotted for the case trials. The Andhra Pradesh Disha Bill, 2019 will amend Section 376 of the IPC to guarantee the death sentence for rapists.

Legacy

The Andhra Pradesh Legislative Assembly responded to the incident by passing the Special Courts for Specified Offences against Women and Children) Bill, 2020, and the Andhra Pradesh Disha-Criminal Law (Andhra Pradesh Amendment) Bill, 2019. When there is strong, conclusive evidence, the measures aim to speed up the investigation and trial of horrific situations involving sexual offences against women and children. By July of 2021. Filmmaker Ram Gopal Varma revealed the incident-based movie Disha Encounter in September 2020. After initially declining to certify the film, the Central Board of Film Certification eventually approved it with an adult-only classification. The COVID-19 outbreak has caused a delay in the film's distribution, and the victim's parents petitioned the Telangana High Court, claiming that the movie will bring shame to their family.

Suggestions

- 1 The Girls should be conscious of their environment at all times.
- 2 Girl's ought to learn how to defend themselves. in order for them to defend themselves in a challenging circumstance.
- 3 Girls should constantly defend themselves against harassment and taunting.
- 4 If girls are taking public transport or a taxi late at night, they should notify their loved ones.
- 5 Strong regulations against all forms of crime and a well-educated populace are necessary to guarantee the safety of women.
- 6 Proper education and financial support should allow both men and women in society to defend themselves against harm.

Conclusions

In India, crimes against women have been increasing at a startling rate. We must carefully consider what we, as a country and civic society, should do to guarantee that women and girls in this country can live freely and fearlessly. In Indian cities, it is still difficult for women to travel alone in taxis or to go home late. The AP administration passed numerous laws to protect women, but they were not successfully implemented. The harassment charges continued despite these laws. Since "prevention is always better than cure," we must take action to prevent these kinds of situations. When attitudes towards women shift, there is a drop in sexual harassment and sexual violence against women. Only when women are respected from the bottom of one's heart will such incidences decline. We must focus on strategies to prevent these negative situations, as the laws only provide justice after a loss. Given the rise in crimes against women and children, including gang rape and rape, the new Disha Act, 2019 is a commendable statute. Such rules should be enforced by all states in order to make India a society free from rape.

References

- Ganeshan, Balakrishna (29 November 2019). "When will our country be safe for Women?". The News Minute. Retrieved 30 November 2019.
- Khan, Omar (30 November 2019). "Four men confess to gang rape of woman they later burned alive, Indian police say". CNN. Retrieved 1 December 2019.
- Jump up to:a b "Hyderabad rape-murder accused shot dead: How the 'encounter' with Telangana Police unfolded". The Indian Express. 6 December 2019. Retrieved 6 December 2019.
- Jump up to:a b c d e f g "Indian police kill rape-murder suspects, sparking celebrations". Agence France-Presse. Retrieved 6 December 2019.
- Jump up to:a b c d e Pandey, Geeta (6 December 2019). "Why Indians are celebrating the killings in Hyderabad". Retrieved 6 December 2019.
- Hyderabad rape and murder case: AIIMS team conducts second autopsy of four accused killed in encounter; bodies handed over to kin". Firstpost. Retrieved 23 December 2019.
- Kumar, Radha (8 December 1997). The History of Doing: An Illustrated Account of Movements for Women's Rights and Feminism in India 1800-1990. Zubaan. ISBN 9788185107769 – via Google Books.
- "Chapter 5: Crime against women", Crime in India 2012 Statistics (PDF), National Crime Records Bureau (NCRB), Ministry of Home Affairs, Government of India, p. 81, archived from the original (PDF) on 16 January 2016

- Humphrey, John A.; Schmallegger, Frank (2012), "Mental illness, addictive behaviors, and sexual deviance", in Humphrey, John A.; Schmallegger, Frank (eds.), *Deviant behavior* (2nd ed.), Sudbury, Massachusetts: Jones & Bartlett Learning, p. 252, ISBN 9780763797737.
- Gregg Barak. *Crime and Crime Control: A Global View: A Global View*. ABC-CLIO. p. 74. Overall, however, rape rates are still lower than most other countries.
- United Nations (2009). *African Women's Report 2009: Measuring Gender Inequality in Africa - Experiences and Lessons from the African Gender and Development Index*. United Nations Publications. pp. 68–. ISBN 978-92-1-054362-0.
- Colonel Y Udaya Chandar (23 September 2016). *The Ailing India*. Notion Press. p. 337. ISBN 978-1-945926-26-6.
- Siuli Sarkar (17 June 2016). *Gender Disparity in India: Unheard Whimpers*. PHI Learning. p. 283. ISBN 9788120352513.
- Tamsin Bradley (28 February 2017). *Women and Violence in India: Gender, Oppression and the Politics of Neoliberalism*. I.B. Tauris. p. 105. ISBN 9781786721181.
- Shahid M. Shahidullah (2017). *Crime, Criminal Justice, and the Evolving Science of Criminology in South Asia: India, Pakistan, and Bangladesh*. Springer. p. 96. police-recorded rape rate in India has shown a sharp increasing trend in recent years against the declining trend of all other violent and property crimes.
- "Protests grow over gang rape of Indian woman (video)". *The Telegraph*. London. 19 December 2012. Archived from the original on 19 December 2012. Retrieved 21 December 2012.
- "Perceived government inaction over rape and murder of two teenage girls sparks public anger". *India'sNews.Net*. 31 May 2014. Archived from the original on 31 May 2014. Retrieved 8 December 2019.
- "The Criminal Law (Amendment) Act, 2013" (PDF). *The Gazette of India*. Government of India. 2013. Archived from the original (PDF) on 7 November 2013.
- "Stringent action against accused, vows Talasani Srinivas Yadav". *www.thehansindia.com*. 30 November 2019. Retrieved 30 November 2019.
- Jump up to:a b c Niranjankumar, Nivedita (30 November 2019). "Twitter Users Give Communal Hue To Hyderabad Vet's Gang Rape And Murder". *boomlive.in*. Retrieved 3 December 2019.
- "Hyderabad vet rape case: 4 remanded to judicial custody". *Deccan Herald*. 1 December 2019. Retrieved 1 December 2019.

- Jump up to: a b c d e f g h ""They Poured Whiskey Into Her Mouth To...": Cops On Telangana Rape, Murder". NDTV.com. Retrieved 1 December 2019.
- Pavan, P. (29 November 2019). "Hyderabad veterinary doctor gang rape, murder case: All four arrested accused are in 20s". Pune Mirror. Mumbai Mirror. Retrieved 1 December 2019.
- Kurmanath, K. V. "Brutal rape and murder of veterinary doctor shakes the conscience of Telangana". Hindu Business Line. Retrieved 1 December 2019.
- "Killers gained Hyderabad veterinary doctor's confidence before murdering her?". The New Indian Express. 29 November 2019. Retrieved 9 December 2019.
- "Cuatro camioneros violan, asesinan y queman el cuerpo de veterinaria de 27 años". larepublica.pe (in Spanish). 30 November 2019. Retrieved 1 December 2019.
- "4 rapists-killers of Hyd vet caught on toll cameras, held". The Pioneer. Retrieved 2 December 2019.
- Pandey, Ashish (30 November 2019). "Telangana doctor was forced to consume liquor-laced cold drink: Police sources". India Today. Retrieved 9 December 2019.
- "We are shocked Two deaths in Hyderabad's Shamshabad area leave locals in fear". thenewsminute.com. Retrieved 9 December 2019.
- Jump up to: a b "Sent From One Police Station To Another, Says Telangana Vet's Family". NDTV.com. Retrieved 1 December 2019.
- Jump up to: a b t, Jayendra chaithanya (1 December 2019). "Hyderabad gang-rape, murder rock nation". Deccan Chronicle. Retrieved 1 December 2019.