

⁵[375. Rape. — A man is said to commit rape who has sexual intercourse with a woman under circumstances falling under any of the five following descriptions,—

¹Ins. by Act VI of 06, s. 4

²This section was amended by the Indian Penal Code (Amdt.) Act, 1924 (5 of 1924) s. 2 and the Indian Criminal Law (Amdt.) Act, 1924 (18 of 1924), s.2.

³S. 374 was re-numbered as sub-section (1) of that section by the Pakistan Penal Code (Amdt.) Act, 1958 (36 of 1958), s. 2.

⁴Sub-section (2) added by the Pakistan Penal Code (Amdt.) Act, 1958 (36 of 1958), s. 2.

⁵Ins. by Act VI of 06, s. 5.

- (i) against her will;
- (ii) without her consent;
- (iii) with her consent, when the consent has been obtained by putting her in fear of death or of hurt;
- (iv) with her consent, when the man knows that he is not married to her and that the consent is given because she believes that the man is another person to whom she is or believes herself to be married; or
- (v) with or without her consent when she is under sixteen years of age.

Explanation. — Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.