

## **Tukaram Summary**

**Criminal – rape - Sections 34, 354, 375 and 376 of Indian Penal Code, 1860, Section 102 of Indian Evidence Act, 1872 and Sections 378 and 386 of Criminal Procedure Code, 1973 – appeal against judgment of High Court reversing judgment of acquittal of appellants of offence under Section 376 – Sessions Judge found that there was no satisfactory evidence to prove that M was below 16 years of age on date of occurrence – High Court convicted both accused – Apex Court observed that girl altered her position in regard to such serious allegations at will – circumstance was not inculpatory – held, charge remains wholly unproved against appellants.**