**GIVING LIFT BUT GETTING BLACKMAILED FOR NOT SURRENDERING MONEY**

When any woman is given a lift but she starts blackmailing the driver, to give money or else she will scream that she has been raped, it involves illegal acts or offences in the eyes of Indian Law.

These are:

1. **Indian Penal Code**
2. False prosecution (211)
3. Criminal Intimidation (503)
4. Extortion (383)
5. **Motor Vehicles Act**
6. Offering lift

Each of the above are discussed below in the light of the above mentioned situation.

1. **Motor Vehicles Act, 1988**

India has forever been a selfless country in which upbringing of the children is accompanied with a lesson of ‘helping others’. The parents impart moral education to their children in the form of such teachings. In fact, it is not bad to help others when they are in need. But, sometimes, this helping nature of a person can land him into the soup of illegality. Such is the case when it comes to giving lift to a person on road. Indian law has penal provisions for the person performing such act. Thus, before giving or asking for lift, a certain number of things need to be borne in mind.

Many people have shared their experiences of being prosecuted for giving lift to unknown persons. One such experience was shared by a lady. She was going to her office in the morning and it was raining heavily. She noticed a very old woman (60+) and two men who were also going at the same place where her office was. As soon as she stopped her car to approach them, the Traffic Police came and booked her under Section 66/192 of the Act of 1988.

The law relating to illegality of providing lift is mentioned in the **Motor Vehicles Act, 1988.** It applies to persons to have misused a private vehicle by converting it to a commercial one, without any authorization. Such conversion must be for the purpose of providing passenger transport service on commercial basis. The law is applicable to the driver or owner if they are providing lift for monetary consideration.

We have a law that makes it illegal to five lift to an unknown person in a private vehicle. Due to which, even if out of courtesy, anyone acts upon his intention of giving lift to a lady standing all alone on the roadside, it would amount to being illegal. The Court will not see the (bona fide) intention behind offering lift. The only thing which will be considered is your act of doing so.

The penal provision under the Motor Vehicles Act is Section 66/192. The punishment under section 192 is payment of fine up to Rs. 2,000/-.

Thus, in such a case, the person offering lift will be penalized under Section 192 read with Section 66.

**Indian Penal Code**

If any woman blackmails you like this you can always report it to the police, may be later if you have a fear of getting defamed by her actions. If anything like this can happen with you once it can also happen with you again. There is a provision in the Indian Penal Code for such kind of **extortion and false prosecution** which punishes the perpetrator who does such kind of act. If the lady is blackmailing you to siphon money report it to the police immediately after that tell the police about everything, each and every detail about her so that police can investigate the matter. If a woman is blackmailing you to siphon money or else she will scream that you are trying to rape her. This is blackmail, extortion and false prosecution

1. **False Prosecution**

**Section 211 of The Indian Penal Code explains the crime of false prosecution, Section 211 states that**

***“****False charge of offence made with intent to injure.—Whoev­er, with intent to cause injury to any person, institutes or causes to be instituted any criminal proceeding against that person, or falsely charges any person with having committed an offence, knowing that there is no just or lawful ground for such proceeding or charge against that person, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both; and if such criminal proceeding be instituted on a false charge of an offence punishable with death, 1[imprisonment for life], or imprisonment for seven years or upwards, shall be punishable with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.”*

1. **Extortion**

**Section 386 of the India Penal Code explains the crime of extortion, Section 386 states that**

***“****Whoever commits extortion by putting any person in fear of death or of grievous hurt to that person or to any other, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.”*

1. **Criminal Intimidation**

A person is said to have committed the offence of criminal intimidation when he/she tries to

1. injure any other person’s reputation or property; or
2. intends to injure any other person’s reputation in whom that person is interested

To prove an offence under Section 503, the intention (of the accused) should be proved to

1. cause harm to that person; or
2. cause that person to

* do any act which he is not legally bound to do, or
* omit to do any act which that person is legally entitled to do as the means of avoiding the execution of such threat.

When any woman blackmails the person who has offered her a lift, she threatens the driver that his reputation will be harmed if she screams for being raped. Such threatening is expressly mentioned under Section 503 as ***“…threatens another with any injury to his person, reputation…”*** she is said to have committed the offence of criminal intimidation under **Section 503**. Once this fact is proved, she will be liable to

1. Imprisonment up to 2 years; or
2. Fine; or
3. Both