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16/07/2018

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How have Insufficient law Impacted the lived experiences of Human beings, Analyse in the context of Sec 377.

Discriminatory Nature of Sec 377.

1) The rights of LGBT population cannot be omitted due to the fact that a miniscule fraction of the Country's population constitute LGBT. It is not a Suitable basis to deny the right to privacy.

2) It is difficult for a transgender person to take recourse to it because Section 377 itself makes transgender's Sexual practices illegal and would put them in danger of being arrested.

3) In addition to it people have undergone terrible humiliation and psychological Stress, apart from being blackmailed.

4) Section 377 is in Violation of Right to privacy and Right to life as you can't restrict freedom of Consenting people as far as their freedom is not hurting anyone else.

5) The Section has Implications for heterosexuals also. as Consensual Sexual acts of adults such as oral and anal sex in

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Private are currently treated as unnatural and punishable under Section 377.

Those against homosexuals are arguing that it is against the morals of the Society. But morality cannot be a ground to restrict the fundamental right of citizens. A legal wrong is necessarily a moral wrong but the Vice Versa is not correct. A moral wrong becomes a legal wrong only when its consequences are for Society and not just for persons committing it.

We have to respect our Constitution one cannot impose ones interest on others. So it is time to read Section 377 to safeguard the rights of miniscule fraction of the Country's Population.

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