

India Media

Man Held for Not Disclosing HIV Status Before Marriage. Express News Service, India, 30/01/2006

Surat: The police on Monday arrested a man for allegedly not disclosing his HIV status to his wife before marriage and thereby transmitting the virus to her. The police have sent the man for a medical examination to confirm that he is HIV positive as alleged in the complaint.

The Rander police arrested Harish Kantaria, a resident of Kalpana Society at Adajan Patia, on a complaint lodged by city-based NGO, Garima, on the behalf of his wife. Harish's wife Lata Rathod, a resident of Saiyedpura area, had approached the NGO.

According to details, Harish had married Lata on May 15, 2002. Two months before Lata delivered a baby boy on October 9, 2003, a medical examination showed that she had been infected with HIV.

When her in-laws came to know about this, they asked Lata to go to her parents. The in-laws also did not allow her to take the baby along with her.

“A few days back, the victim had contacted us. She said that her husband was suffering form AIDS before their marriage but he and his family members had kept it a secret,” said Sashiben Bhukhanwala, president of Garima.

Bhukhanwala said the accused had married for the second time as his first wife had died of AIDS. “Despite knowing that he was suffering from AIDS, Harish married Lata and that the girl's family did not know about it,” she said.

Jagdish Vaktana, advocate for the NGO, said: “The accused was aware that he was suffering from AIDS. Still he married Lata and transmitted the virus to her through physical relationship. Medical reports during Lata's pregnancy revealed that she had been infected with HIV positive.”

Inspector H J Patel of Rander Police Station said the accused had been arrested on the NGO's complaint. “Now, we have sent Harish for medical examination,” he said.

Patel said the arrest was made under Section 269 (negligent act likely to spread infection of disease dangerous to life), Section 498(a) (husband subjecting wife to cruelty), 420 (cheating) and 114 (abettor present when offence is committed) of the IPC.

Commissioner of Police Sudhir Sinha said the offence was serious. “Section 269 of IPC is very pertinent in the case, and as per the complaint the accused faces charges under this section,” he said.