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Indian court strikes down old anti-gay law

NEW DELHI: A top Indian court issued a landmark ruling yesterday decriminalising gay sex between consenting adults, overturning colonial-era legislation that outlawed homosexuality.

The New Delhi High Court ruled that an existing statute prohibiting homosexual acts was discriminatory and therefore a "violation of fundamental rights" accorded under the constitution.

The statute in question is a British colonial-era law outlawing "carnal intercourse against the order of nature". Conviction carried a fine and a maximum 10-year jail sentence.

Although prosecutions were rare, gay activists said police used the law to harass and intimidate members of their community.

The High Court ruling was made on a petition brought by the Naz Foundation, a gay advocacy group fighting for equal rights and AIDS awareness.

"This is a long awaited and incredible judgment," said gay rights activist Gautam Bhan.

"The judges in their verdict spoke about inclusivity, quality and dignity. They spoke about a vision of India as an open, tolerant society and to hear all this from the court was amazing." —AFP