



FACULTY OF LAW



2nd DR. K.L. THAKRAL MEMORIAL
NATIONAL MOOT COURT
COMPETITION

2nd Dr. K.L. Thakral Memorial National Moot Court Competition 2024

Preliminary Rounds | Quarter, Semi-final & Final Rounds
8th November 2024 (Online) | 29th- 30th November 2024 (Offline)



WIN PRIZES

worth **Rs. 1,00,000**

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ABOUT ORIENTAL UNIVERSITY, INDORE



Oriental University is the first self-financed Private University of Indore established in 2011. Oriental Group is one of the top names in education in Central India since 1995. Oriental Group the most sought-after name for quality education in Madhya Pradesh. Oriental University is spread over 77 acres of lush green sprawling campus on Indore-Ujjain highway near the International airport and new proposed Railway station.

The philosophy of Oriental University (OUI) is to contribute in a broader sphere, thereby offering diverse courses in Agriculture, Commerce, Computer Science & Application, Education, Engineering, Management, Law, Pharmacy, Social Science & Humanities.



ABOUT FACULTY OF LAW, OUI

Oriental Faculty of Law is one of the premier law colleges established in Indore. It offers quality legal education at Undergraduate and Postgraduate levels in the form of BA.LL.B. {Hons.} (5 Year), LL. B {Hons.} (3Year) & LL.M. (1year Course). These courses are recognized and approved by the BCI. Besides this, the college offers Diploma and Certificate courses in the areas of specialization in Cyber Laws, IPR, Environmental Law and Policy, ADR, Medico-Legal System etc. The faculty of law also provides an opportunity for pursuing a Doctorate in Law. The different committees such as Constitutional Cell, Legal Aid Cell, Corporate and Environmental Cell, Internship and Placement Cell etc. organize various national and district level events for the students. The Faculty of Law has received grant by Pro Bono Club {Ministry of Law and Justice under Nyaya Bandhu Scheme}. Also, programmes are designed to expose the students to the different aspects of legal work and procedures in the chambers of Lawyers, Courts, Lok Adalats, Administrative Offices, Legal Aid Centers and Legal Literacy Camps.



ABOUT 2ND DR. K.L THAKRAL MEMORIAL NATIONAL MOOT COURT COMPETITION, 2024

The Oriental University, known for its commitment to academic excellence and fostering a culture of legal knowledge, is proud to host the highly anticipated Oriental University's *2nd Dr. K. L. Thakral Memorial National Moot Court Competition, 2024* along with its knowledge partner Code F Solutions, Legal Specs, and media partner Lawctopus. This annual event stands as a testament to the university's dedication to providing law students with a platform to enhance their advocacy skills, immerse themselves in legal research, and engage in spirited arguments.

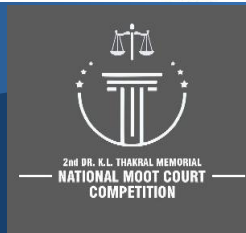
The Oriental University's *2nd Dr. K. L. Thakral Memorial National Moot Court Competition, 2024* aims to attract participation from esteemed law schools and universities across the nation, making it a melting pot of legal brilliance and intellectual curiosity.

The moot problem, carefully crafted by legal experts, presents participants with complex legal issues that test their analytical abilities and knowledge of the law. As participants navigate through intricate legal scenarios, they must conduct exhaustive research, analyze case laws, and present well-reasoned arguments before a distinguished panel of judges.



MOOT PROBLEM

- In the tapestry of Indian society, family stands as the cornerstone of cultural and social life, woven together by threads of tradition, duty, and mutual support. The structure of the Indian family has long been characterized by a patriarchal system that places the mantle of responsibility squarely on the shoulders of the son. The son is expected not only to carry forward the family name but also to be the provider, protector, and decision-maker for the entire household. Such a system, deeply rooted in centuries of cultural practice, often elevates the status of men within the family unit while simultaneously burdening them with weighty expectations. The sanctity of the family is held in such high regard that the very notion of crime within its confines is viewed not merely as a legal transgression, but as a moral failing of the gravest nature – a sin that tears at the very fabric of societal norms. It is against this backdrop of ingrained values and expectations that the following case unfolds, challenging the boundaries between familial duty, personal desires, and the pursuit of justice.
- In the picturesque region of Pammu & Mashmir, Mr. Anil resided with his family of five: his mother Lata, wife Shivani, son Raj, and daughter Roshni. Despite the challenging circumstances in Pammu during his formative years, Anil excelled in his studies, demonstrating remarkable academic progress. Upon completing his education, Anil's ambitions led him to Bahrainia, where he

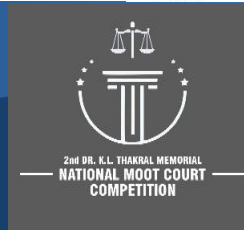


secured employment with XYZ Ltd., a multinational company. Starting as a service engineer, Anil's dedication and skill propelled him through the ranks. After 15 years of service, he ascended to the position of Vice President, overseeing Indiana operations. His primary responsibilities centered around managing the company's logistical operations, which formed the core of XYZ Ltd.'s business activities.

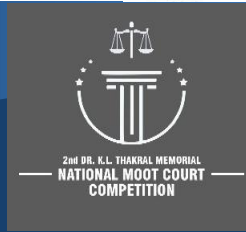
- Throughout his career abroad, Anil maintained strong ties to his homeland, choosing not to relocate his family to Bahraina. Instead, he made biannual visits to his family and native place, cherishing these moments of reconnection. On June 15, 2024, Anil made one such journey home, this time as a surprise to celebrate his son's birthday. The occasion called for a lavish party, and Anil spared no expense in its preparation. He extended invitations to his old school friends, while his wife Shivani invited her own social circle to join in the festivities.
- Among Shivani's guests was Mr. Sohail, whose presence at the party caught Anil's attention. Sohail's demeanor and the familiarity with which he interacted with Anil's family, particularly Shivani, aroused suspicion in Anil's mind. Driven by growing unease, Anil began to investigate the nature of Sohail's relationship with his family. His inquiries led him to a shocking discovery, evidence suggesting an illicit relationship between Shivani and Sohail.



- Devastated by this revelation, Anil confronted Shivani. What began as a tense discussion quickly escalated into a fierce verbal altercation. In the heat of the moment, their exchange turned physical, with both parties engaging in acts of aggression. The confrontation left both Anil and Shivani shaken and bruised, both physically and emotionally. A few days after this tumultuous incident i.e. on the 30th June 2024, Anil, still heeling from the emotional upheaval, made the decision to return to Bahraina. However, the night before his scheduled departure i.e. 1st July 2024, events took a tragic and irreversible turn. In the early hours of the evening, the household was awakened by the sound of a gunshot. Lata, roused from her sleep, rushed to investigate the source of the disturbance. To her horror, she discovered Shivani's lifeless body in the master bedroom, a single gunshot wound to her chest.
- The local police were alerted by the night by neighbors via a telephonic information wherein no information about the informant was revealed, and upon their arrival, they secured the crime scene. Initial investigations revealed that the murder weapon, a licensed firearm registered to Anil, was found on the bedroom floor near Shivani's body. Forensic teams collected evidence, including gunshot residue samples from the hands of all family members present in the house at the time of the incident which all happened by the wee hours of the day when it was scheduled for Anil to take a flight for Bahraina.



- During questioning, Anil vehemently denied any involvement in Shivani's death. He claimed to have been asleep in the guest room at the time of the shooting, having moved there following their earlier altercation. Raj and Roshni corroborated their father's account, stating that they had not heard him leave his room during the night. However, the police noted signs of a struggle in the master bedroom and the presence of Anil's fingerprints on the murder weapon.
- As the investigation progressed, authorities' uncovered text messages on Shivani's phone, revealing her plans to leave Anil and start a new life with Sohail. Additionally, financial records indicated that Anil had recently made significant changes to his life insurance policy, naming his children as the sole beneficiaries and removing Shivani.
- While Mr. Anil kept on denying his involvement, the police arrested Mr. Anil and framed charges against him. In the chargesheet, the occurrence of the death was mentioned in the police report to be on the 30th of June by 11.45 PM. which was confirmed by the forensic report & was adduced by the IO on the 10th of July 2024.
- As the case moves towards trial, the court finds itself navigating a labyrinth of legal and ethical quandaries. The crux of the matter lies in two critical questions that will shape the course of justice in this tragic affair. Firstly, the nature of the evidence and trial that the court shall be witnessing to in this matter. This raises



profound questions about the nature of proof in criminal cases and the threshold at which suspicion crystallizes into legal culpability. Secondly, the court must grapple with how to approach the earlier instances and incidents. This dilemma touches upon the delicate balance between protecting the sanctity of the home and ensuring justice for victims of domestic abuse. Furthermore, the case raises broader questions about gender dynamics in Indian society, the pressures of familial expectations, and the tragic consequences when these societal forces collide with personal desires and suspicions.

- As the court seeks to unravel these complex threads, it must also consider the implications of its decision not just for Anil and his family, but for the larger community and the precedent it may set for future cases involving domestic disputes and circumstantial evidence. The resolution of these issues will not only determine the fate of the accused but also reflect society's values and its commitment to justice in the face of ambiguity and tragedy.

Please Note:

1. All facts mentioned and the references made are fictional.
2. All the laws of Indiana are pari-materia to that of India



Frame the cause title and adduce the jurisdiction as per the applicable laws for the time being in force

ISSUES INVOLVED: -

- Whether Circumstantial evidence could be considered as best evidence for taking away the right to privacy of a citizen?
 - Whether cognizance by the police report is sufficient by the procedural laws for establishing the culpability of the accused?
 - Any other issues that the teams wish to frame in the interest of Justice in this matter but within the scope of the matter.
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The moot court problem has been drafted by ***Dr. Biswa Kalyan Dash, Assistant Professor at NFSU Gandhinagar, Gujarat*** and peer-reviewed by ***Advocate P.S. Bisht (Advocate - Supreme Court, Retired IPS Officer, and Human Rights Moderator)***. Under no circumstances teams are permitted to contact the drafter or reviewer.



AWARDS AND PRIZES

Winning Team: **INR 31,000/-**

Lawctopus Law School Coupon & Internship with Code F Solutions

Runner Up: **INR 21,000/-**

Lawctopus Law School Coupon & Internship with Code F Solutions

Best Memorial: **INR 5,000/-**

Lawctopus Law School Coupon & Internship with Code F Solutions

Best Speaker: **INR 5,000/-**

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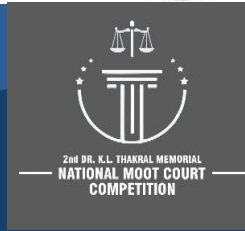
Best Researcher: **INR 5,000/-**

Lawctopus Law School Coupon & Internship with Code F Solutions

2nd Best Speaker: **INR 3,000/-**

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Free certificate course on Legal Drafting and Research to all participants by Legal Specs.



IMPORTANT DATES

LAST DATE OF REGISTRATION	28TH OCTOBER, 2024
MEMORIAL SUBMISSION	6TH NOVEMBER, 2024
RESEARCHER'S TEST	7TH NOVEMBER, 2024
PRELIMINARY ROUNDS (ONLINE)	8TH NOVEMBER, 2024
QUATER, SEMI & FINAL ROUNDS (ON-CAMPUS)	29TH – 30TH NOVEMBER, 2024



IMPORTANT POINTS

➤ **MODE OF COMPETITION:**

Online Rounds: Cisco WebEx

On-Campus Rounds: Oriental University, Indore

➤ **ELIGIBILITY:**

Open to all undergraduate (3 years/5 years) and postgraduate law students.
Each institution can register **one team**.

➤ **TEAM COMPOSITION:**

Teams can comprise 2 or 3 members:

For teams of 2: Both as Speakers.

For teams of 3: Two Speakers and one Researcher.

➤ **GUIDELINES:**

Team composition cannot change post-memorial submission, barring medical emergencies or organizer discretion.

No additional members after registration.

➤ **REGISTRATION DETAILS:**

Registration Fee: **₹3000 per team**

Accommodation Charges: **₹4500 per team (Qualifying Teams)**

Registration Link: <https://forms.gle/W4ZfleH6xwaXe7jw7>