

# 5<sup>th</sup> INDRAPRASTHA NATIONAL MOOT COURT COMPETITION, 2016



UNIVERSITY SCHOOL OF LAW AND LEGAL STUDIES  
GURU GOBIND SINGH INDRAPRASTHA UNIVERSITY  
SECTOR 16-C, DWARKA, NEW DELHI-110078

## RULES AND REGULATIONS

The following Rules shall be called the 5th Indraprastha National Moot Court Competition Rules, 2016.

Wherein,

- **Organizers** mean the University School of Law & Legal Studies, GGS Indraprastha University.
- **Competition** means 5<sup>th</sup> Indraprastha National Moot Court Competition, 2016.
- **Participating Team/ Institution** means the team that has registered itself for the competition as per the rules.
- **Venue** means University School of Law & Legal Studies, GGS Indraprastha University, Sec-16-C, Dwarka, New Delhi-110078.

The Rules mentioned herewith are not exhaustive. The Rules shall be strictly adhered to, any deviation from the same shall result in immediate disqualification, unless exempted by the Organizers. All decisions made by the Organizers in case of any disputes, doubts or other problems of such nature, shall be final and binding on the participating teams. The Organizers further reserve the right to alter, amend or add Rules herein at any point of time. Imposition of penalties is exclusively the right of the Organizers; in case the Rules are not adhered to by the Participating teams.

## **I. GENERAL:**

1. **Date:** The Competition shall be held from **23<sup>rd</sup> to 25<sup>th</sup> September 2016** at the **University School of Law & Legal Studies, GGS Indraprastha University, New Delhi.**
2. **Dress Code:** Participants are required to adhere to the following dress code while present in any court room during the Competition.
  - i. *Ladies:* White Salwar and Kurta or White shirt and black pant/black skirt along with black coat and black shoes.
  - ii. *Gentlemen:* White shirt, black trousers, black tie along with black coat and black shoes.

## **II. THEME:**

1. The moot proposition for the 5th Indraprastha National Moot Court Competition 2016 is based on Criminal Law.

## **III. LANGUAGE:**

1. The official language for the Competition shall be English only.

## **IV. ELIGIBILITY:**

1. The Competition shall be open for '*bona fide*' students who are pursuing an integrated **5 year LL.B. Programme or 3 year LL.B Programme** from an institute/university in India. Such institution must be recognized by the Bar Council of India.

## **V. TEAM COMPOSITION:**

1. Each team shall consist of a minimum of two members or maximum of three members. There shall be no circumstance whatsoever that a team consisting of more than 3 members be allowed to participate. No observer/additional member can be part of a team in any capacity.
  - i. In case of a *three-member team*, there shall be two speakers and 1 researcher in the team.
  - ii. In case of a *two-member team*, there shall be two speakers only who shall not be eligible for the researcher's test.
2. The teams shall identify such speakers and researcher during registration.

3. Teams shall not disclose their identity whatsoever, i.e. the name of their institution, city, etc. or any other information which has the effect of disclosing their identity and affiliation with a particular university or institution, except in the registration form. Such disclosure shall result in disqualification subject to the discretion of the Organizers.
4. Each team shall be allotted a team code before the competition. During the competition teams shall be identified by the team code allotted to them. Teams shall not disclose their identity or that of their institution or city etc. Any such disclosure shall invite strict penalty including disqualification. The decision for the same shall be at the discretion of the Organizers.

#### **VI. REGISTRATION:**

1. All participating institutions shall be registered on first come first serve basis by sending a soft copy of the properly filled registration form along with a scanned copy of a demand draft via an email to [5thinmcc@gmail.com](mailto:5thinmcc@gmail.com) Email registration for the competition shall close on **12<sup>th</sup> August 2016.**
2. Teams shall post the hard copies of the properly filled registration form along with a demand draft of **Rs. 5000/- (Rupees Five thousand only)** which must reach the organizers by **17<sup>th</sup> August 2016** at the following address:

**Dr. Rakesh Kumar Handa (Moot Court Convenor),**

**University School of Law & Legal Studies,**

**Guru Gobind Singh Indraprastha University,**

**Sec-16-C, Dwarka,**

**New Delhi- 110078.**

3. The draft of Rs.5000/- shall be drawn in favor of **“Registrar, GGSIPU”**, payable at New Delhi.
4. Formal registration of the teams shall be done on 23<sup>rd</sup> September 2016 at the venue at 03:00 PM.
5. Any change in the team composition shall be intimated to the Organizers before the Formal Registration.
6. Forms received after the deadline shall not be considered for registration.
7. The organizing committee has the exclusive right to decide in case of any dispute related to the registration. The decision of the organizing committee in such a case shall be final.

## **VII. SUBMISSIONS:**

1. Each team shall be assigned a code upon registration.
2. There shall be two preliminary rounds, a Quarter-final , a Semi-Final and a Final.

## **VIII. ORAL PLEADINGS:**

### **1. General Procedures**

- i. Each Preliminary Round and Quarter-final round of the Competition shall consist of Sixty (60) minutes of oral pleadings. Both the sides shall be allotted thirty (30) minutes each. Semi final and Final round shall consist of Ninety (90) Minutes of oral pleadings. Both the sides shall be allotted forty-five (45) minutes each.
- ii. Two (2) members, and no more than two (2) members, from each Team shall make oral presentations during the rounds.
- iii. Prior to the beginning of the Preliminary and Quarter Final Round, each Team shall indicate to the Court Clerk how it wishes to allocate its 30 minutes among (a) its first Speaker, (b) its second Speaker, and (c) rebuttal (by Petitioner/Appellant) or sur-rebuttal (by Respondent). No single Speaker shall plead for more than twenty (20) minutes, including rebuttal or sur-rebuttal. Similarly, the teams shall indicate their allocation of 45 minutes before the beginning of the Semi-final and Final round. No speaker shall plead for more than 25 minutes during Semi-Final and Final round including rebuttal or sur-rebuttal.
- iv. *Extension of Time at Judges' Discretion-* Judges may, at their discretion, extend total Team oral arguments time beyond the thirty (30) minutes or forty-five (45) minutes allocation, as the case may be, up to an additional five (5) minutes per Team. Speakers asked to further expand upon arguments may, in this instance, appear for more than the twenty (20) minutes or twenty-five (25) minutes individual limit, as the case may be.
- v. *Order of Submission-* The order of the oral submissions in each Round at all levels of the Competition shall be:

**Petitioner/Appellant 1 --> Petitioner/Appellant 2 --> Respondent 1 --> Respondent 2 --> Rebuttal (Petitioner/Appellant 1 or 2) --> Sur-rebuttal (Respondent 1 or 2).**

- vi. Each Team may reserve up to five (5) minutes for rebuttal or sur-rebuttal.
- vii. *Ex Parte Procedure*- In extreme circumstances, such as when a Team fails to appear for a scheduled Oral Round, the CC, after waiting fifteen (15) minutes, may allow the Oral Round to proceed ex parte. In an ex parte proceeding, the attending Team resents its oral pleading, which is scored by the judges to the extent possible as if the absent Team had been present and arguing. In such a case, the Team that fails to appear for the scheduled Round forfeits all the points of the Oral Round.
- viii. *Competition Communications*- Oral communications during the Oral Round shall be strictly limited to the following. Any Team, which engages in communications not listed in this Rule, shall be penalized.
- Oral Courtroom Communication between Counsel and Judges -Each Speaker designated to present oral pleadings may communicate with the judges, and the judges may communicate with that Speaker, during the Speaker's allotted time. In addition, in extraordinary circumstances, the judges may communicate directly with either Team's counsel table (for example, to clarify the spelling of a Speaker's name or to request that a Team remain quiet during its opponent's oral presentation).
  - Oral Courtroom Communication and Activity at Counsel Table- Every courtesy shall be given to Speakers during oral argument. Communication at the counsel table shall be in writing to prevent disruption, and Teams shall avoid all unnecessary noise, outbursts, or other inappropriate behaviour, which distracts from the argument in progress. Any Penalties imposed under this Rule shall be deducted from the Oral Scores of both Speakers of the offending Team.
  - Written Courtroom Communication-Written communication during the Oral Round shall be limited to (a) written communication among a Team's members seated at the counsel table, and (b) a Team member at counsel table handing a document to a Speaker when that Speaker has been questioned about such document during the course of his or her argument or (c) a written note to assist the Speaker in answering an issue raised by the judges. No other written communication may take

place among the Speaker, Team members seated at counsel table, spectators or Team members not present at the counsel table. There is no prohibition on the teams handing over supporting documentation to the judges, but the same should be done through the clerk.

- ix. *Anonymity of Teams in Courtrooms*- Teams shall be identified by Team Code and the side of the dispute they represent only. However, Team members may provide their individual names to judges for purposes of conducting courtroom discussions. Participants shall not disclose the identity of their Team through direct or indirect means, including statements to judges, name tags or other signifiers, the placement of folders, files, library books or other materials bearing the name or logo of the school on the counsel table, and the wearing of pins or clothing revealing the identity of their college/university.

2. Draw of lots

- i. The draw of lots shall take place at the time of formal registration on 23<sup>rd</sup> September 2016.
- ii. To ensure unbiased selection, teams shall be subjected to drawing of lots for the Preliminary Rounds.
- iii. In no circumstance shall any change be entertained after the draw of lots.

3. Preliminary Rounds

- i. The Preliminary Rounds are scheduled to take place on 24<sup>th</sup> September 2016.
- ii. Teams shall be subjected to two preliminary rounds.
- iii. The teams shall be arguing on each side during the Preliminary Rounds.
- iv. No two teams shall face each other more than once in the preliminary rounds.

4. Quarter-final Round

- i. The Quarter-final Round is scheduled to take place on 24<sup>th</sup> September 2016.
- ii. The teams shall argue from any one side which shall be decided by a draw of lots before the round.
- iii. Four top scoring teams shall qualify for the Semi-final Round.

5. Semi-final Round

- i. The Semi-final round is scheduled to take place on 25<sup>th</sup> September 2016.
- ii. The top-four scoring teams shall compete according to the draw of lots.
- iii. The Semi-final rounds shall be in the nature of knock-outs, i.e., the team with the lesser score shall be evicted.

iv. The two teams that emerge victorious shall succeed to the Final rounds.

6. Final Round

- i. The Final round is scheduled to take place on 25<sup>th</sup> September 2016.
- ii. The teams shall argue on the side decided by the draw of lots.
- iii. The team obtaining a higher score shall be adjudged victorious.

7. Oral rounds

- i. Oral rounds shall be judged as per the following criteria:

<u>S. NO.</u>	<u>CRITERIA</u>	<u>MARKS</u>
01.	Knowledge of Facts and Law	20
02.	Application of law to facts	20
03.	Ingenuity and ability to answer questions	15
04.	Presentation Skills	15
05.	Time Management and Organisation	10
06.	Court Etiquettes	10
07.	Logical coherency in Arguments	10
	<b>Grand Total</b>	<b>100 Marks</b>

**IX. RESEARCHER'S TEST:**

1. The Researcher's Test shall be conducted on 23<sup>rd</sup> September 2016.
2. There shall be no such test for the teams comprising of only two members.
3. The test shall contain questions related to the moot proposition and the law applicable.

**X. MEMORIALS:**

1. All requirements have to be strictly followed. Non-adherence to the same shall result in disqualification subject to the discretion of the organizers.
2. Each team shall prepare memorials for both the sides to the dispute. i.e. petitioner/appellant and respondent.
3. The soft copies of the memorial from each side shall reach the Organizers at **5thinmcc@gmail.com** in .pdf or .doc or .docx format latest by **Midnight of 9<sup>th</sup> September 2016.** E.g. Attachments shall be titled as [TEAM CODE] [P] for Petitioner/Appellant side and [TEAM CODE] [R] for Respondent side. e.g. 007P and 007R.

4. Submissions made after Midnight on 9<sup>th</sup> September 2016 shall entail a negative penalty of 2 marks from each side per day.
5. No extension shall be granted to any team for memorial submission in any case.
6. No hardcopy of the memorial shall be accepted after **12<sup>th</sup> September 2016**.
7. One hard copy of the memorial from each side must reach the Organizers by **12<sup>th</sup> September 2016** on the following address:

**Dr. Rakesh Kumar Handa (Moot Court Convenor),**  
**University School of Law & Legal Studies,**  
**Guru Gobind Singh Indraprastha University,**  
**Sec-16-C, Dwarka,**  
**New Delhi- 110078.**

8. The teams have to carry 6 copies of the memorial from each side i.e. 12 copies in total including memorials from both sides and submit the same during formal registration on 23<sup>rd</sup> September 2016.
9. Format of Memorials.
  - i. *Cover Page*: The cover page of the memorial must state the following:
    - Team Code on upper Right-hand side corner.
    - The Case Title
    - Colour of the cover page must be
      - Blue in case of Petitioner/Appellant/Plaintiff.
      - Red in case of Defendant/ Respondent.
    - The Party for which the Memorial has been prepared.
  - ii. *The Table of Content.*
  - iii. *The Index of Authorities.*
  - iv. *The Statement of Jurisdiction.*
  - v. *The Statement of Facts.*
  - vi. *The Statement of Issues.*
  - vii. *The Summary of Arguments.*
  - viii. *The Arguments Advanced.*
  - ix. *The Prayer.*
  10. Memorial General Format:
    - i. *Spacing*: 1.5LineSpacing
    - ii. *Margins*: One-inch margin on all sides of each page.



- iii. *Font*: The font for the body of the memorial shall be Times New Roman, Size 12.
- iv. *The Font for the footnotes*: The font of the footnotes shall be Times New Roman, Size 10.
11. Memorials must be spiral bound only.
12. Page numbering should be at the bottom middle of each page.
13. The memorials must not contain any annexure/photographs/sketches/exhibits/affidavits etc.
14. Teams shall cite authorities in their Memorials by way of Uniform Style of Citation.
15. The maximum number of pages in each Memorial shall not exceed 35 pages including 20 maximum pages for Written Submissions/Arguments Advanced.
16. The Memorials shall not, in anyway, disclose any fact pertaining to the identity of the Participating Team, its Members, or the Institution/College/University represented.
17. Marking Scheme of the Memorials:  
Every Memorial will be marked on a total of 100 marks and the team memorial marks will be the average of the total of both sides.

<u>S.NO.</u>	<u>MARKING SCHEME</u>	<u>MARKS ALLOTTED</u>
01.	Knowledge of Facts & Law	20 Marks
02.	Extent & Use of Research	20 Marks
03.	Drafting Skills	15 Marks
04.	Originality in Presentation	15 Marks
05.	Grammar, Style and Coherency	15 Marks
06.	Original Thought	15 Marks
	<b>Grand Total</b>	<b>100 Marks</b>

#### **XI. SCOUTING:**

1. Teams shall not be allowed to observe the Oral Rounds of any other teams whatsoever.
2. Scouting is strictly prohibited as per the Rules of the Competition.

3. Scouting by any of the teams shall entail instant disqualification.
4. Any team can file a written complaint to the Organizers for the same. The Organizer's decision regarding scouting shall be final.

**XII. ANNOUNCEMENT OF RESULTS:**

1. The results of the preliminary rounds shall be announced shortly after the rounds.
2. The winners of the quarter-final round shall be announced shortly after the round.
3. The winners of the semi final round shall be announced shortly after the conclusion of the round.
4. The winners of the final round shall be announced during the valedictory ceremony on 25<sup>th</sup> September 2016.

**XIII. AWARDS AND CERTIFICATES :**

1. Winning Team Trophy
2. Runners-up Trophy
3. Best Speaker Trophy
4. Best Memorial Trophy
5. Best Researcher Trophy
6. Cash prize as sponsored.
7. Certificates for participation will be given to all the participants.
8. Separate Certificates will be provided to the Quarter-Finalists, Semi-Finalists, Runners-up and Winners.
9. All Certificates and awards will be presented to the participants only at the Valedictory Ceremony on the evening of 25<sup>th</sup> September 2016. The participants are advised to finalize their travel plan accordingly.
10. The certificates will not be provided to any participant who is not present at the Valedictory Ceremony and the same will not be sent by post/courier to any participant under any circumstances whatsoever.

**XIV. COPYRIGHT:**

1. The copyright with regard to the memorials submitted for the participation in the Competition is assigned by participants and shall vest completely and fully on the Organizers. The participants shall certify the originality of the memorials and the

materials used and shall be responsible for any claim or dispute arising out of further use and exhibition of these materials.

2. The Organizers shall have the right to publicly display, distribute in any manner whatsoever and they shall not be responsible for any liability thereof.

**XV. DISCLAIMER:**

The proposition is fictitious and any resemblance to any person, living or dead, or incident, past or present, is coincidental and not intended by the authors of the proposition.

**XVI. CLARIFICATIONS:**

1. The moot proposition shall remain the way it is and no change shall be made whatsoever.
2. The Organizers further reserve their right to alter, amend or add to the moot proposition and the same shall be intimated to the Registered Teams well in advance.
3. No queries or requests for clarifications will be entertained whatsoever.
4. Clarifications regarding matters other than the moot proposition may be sought from the Organizers.

**XVII. ANONYMITY:**

1. The Speakers shall not state their names during the oral rounds, and must use the Team Code.
2. All team members must refrain from disclosing the identity of their institution at any time and in any manner, during the oral rounds.
3. Non-compliance with this Rule will result in immediate disqualification of the team.

**XVIII. ACCOMMODATION & FOOD:**

1. Food will be provided to all the teams by the Organizers.
2. Accommodation and Food will be provided during the days of the competition only. In case any team wishes to stay for a longer period of time then accommodation may be arranged by the organizer at the expense of the team provided the same is requested well in advance.
3. No accommodation will be provided to Delhi NCR teams.

4. The formal registration of all the participating teams will be done on 23<sup>rd</sup> September 2016 at the venue at 03:00 PM. All the participants are requested to plan their travel accordingly.

**XIX. CONTACT FOR QUERIES:**

In case any queries or clarifications regarding the competition, the teams may contact:

<b>Faculty In-charge</b>	Dr. Rakesh Kumar Handa	+91-9891767686
<b>Student Organizers</b>	Mr. Vishal Singhal	+91-8447016167
	Ms. Shivani Singhal	+91-8447903092

Or mail their queries at [5thinmcc@gmail.com](mailto:5thinmcc@gmail.com)



## MOOT PROBLEM

1. That on the night of 23/24 January 2016, at around 12:35am, A.S.I Harpal Singh got an information (marked as DD No. 32 PS Sonia Vihar) from constable Dinesh (ballet No.1516/E) over telephone at 3D Hospital that Sh. Mallan brother of victim, named Lallan Prasad, aged 21 years R/o: H-1111, Gali No.14, Second Pusta, Sonia Vihar, Delhi, admitted him in a critical condition bearing MLC No. E-33432.
2. That on receiving the information, A.S.I Harpal Singh and Constable Bijender (ballet No.1772/E) who were on duty immediately rushed to the 3D Hospital for conducting necessary legal inquiry. They found that Sh. Lallan Prasad S/o Sh. Chander Prasad, R/o: H-1111, Gali No.14, Second Pusta, Sonia Vihar, Delhi, was admitted by his brother Mallan bearing MLC No. E-33432 with multiple stab wounds on both arms, chest wall, scalp and right side of the gluteal region. The copy of the Medico Legal Report No.1 and 2 along with Schematic Injury Diagram Sheet is attached separately herewith. The doctor suggested that the patient is unfit for statement and declared that the injuries were perpetrated with a sharp edged weapon.
3. That in the 3D Hospital, Sh. Ballan S/o Sh Chander Prasad i.e., another brother of the victim Lallan Prasad, gave his statement as under:-

*“Stated that I, Ballan Prasad, live with my parents i.e., father, mother, brothers and sisters in our own home H-1111, Gali No.14, Second Pusta, Sonia Vihar, Delhi-94, and I am studying in Deen Dayal Upadhaya College, Delhi University. We were having a property dispute case with our maternal uncle and his sons since 2003. The decision of the case was held in our favour in August, 2015. Since then our cousins were not happy and developed inimical relations with us. On 23<sup>rd</sup> January 2016, at around 11:30 pm, after having dinner, me and my brother Lallan went for a walk near Budh Bazaar Road. My brother Lallan was stepping faster than me. As soon as, he was 50-60 steps ahead of me, one of my cousins named Jeysha and his friend Tashi started fighting with him. In the meantime, Jeysha’s four brothers named Kishan, Bishaan, Disham and Geysa ran towards the fighting spot and got involved in the fight. They caught Lallan and one of them named Geysa gave instructions to others by shouting “Iska Kaam Khatm Kar do.” As a consequence, the rest of the brothers named*

*Kishan, Bishaan and Disham and their friend Tashi dragged my brother into a small gali and Jeysa started stabbing my brother Lallan. When I shouted loudly in the market, they all ran away immediately except Tashi who was caught by the public. I carried my brother to the 3D Hospital through an auto-rickshaw. Someone called the police while seeing me shouting in the street. Kindly take necessary legal action against these persons as all of them have deliberately hurt my brother with the intention of killing him.”*

4. That after obtaining the statement of Ballan as a star witness of the case, A.S.I. Harpal Singh and his team took him to the crime spot where they found lot of blood strewed over the road and Tashi, who was caught by the public, was arrested by A.S.I. Harpal Singh and his team. Tashi was also injured during the whole fighting scene. Some of the constables took Tashi to the 3D Hospital for medical treatment. The doctor in his medical report wrote three superficial injuries inflicted on his back. After the investigation, A.S.I. Harpal Singh and his team came back to Police Station, Sonia Vihar, and gave the report to the S.H.O, P.S. Sonia Vihar. Thereafter the F.I.R was recorded on the basis of the statement provided by Ballan and observation of the entire crime spot at around 3:15 am and charged all the accused persons under Section 307/34 of the IPC.
5. That on dated 24th January 2016, at around 8:15 am, A.S.I Harpal Singh got the information (marked as DD No.3) PS Sonia Vihar from constable Dinesh (ballet No.1516/E) over the telephone at 3D Hospital that the victim named Lallan Prasad S/o Sh. Chander Prasad, R/o: H-1111, Gali No.14, Second Pusta, Sonia Vihar, Delhi-94, who was admitted in a very critical condition bearing MLC No. E-33432 died in the I.C.U Ward at 6:45am. He also requested the I.O to come and change the Sections i.e., 307/34 to 302/34 of the IPC. The S.H.O as I.O of the case immediately registered the murder case under Sections 302 read with section 34 of the Indian Penal Code.
6. That on 30<sup>th</sup> January 2016, at around 8:15pm, the police team also arrested the rest of the co-accuseds with the cooperation of state police officers of Ambala but failed to find the murder weapon. They interrogated Jeysa and found that while running away from the crime scene, Jeysa deliberately took the knife and threw it into the river Ghaggar near Ambala. The I.O then added one more Section 201 of the IPC to the existing criminal case. All the accused persons were charged under Sections 302/201/34 of the IPC.
7. That prosecution examined the material witnesses in the court as under:-

PW-1 Ballan deposed the same version of statement as he delivered earlier in the 3D Hospital to the police officers.

PW-2 Mallan deposed that “I was at my friend’s house which was near the 3D Hospital. As soon as I got the information, I immediately rushed to the 3D Hospital and saw my brother, Lallan, who was in the hands of my brother, Ballan. When Ballan saw me, he asked me to take care of Lallan and then he went to the nearby PCO and started calling our parents and other relatives for further assistance.”

PW-3 Doctor Kamini, a chief medical officer, deposed that the victim is examined and the injuries are sufficient to cause death of the victim. She presented the victim’s Schematic Injury Diagram Sheet along with the Medico Legal Report-02 (i.e., Post Mortem Report).

PW-4 Investigation Officer deposed that “we met the victim, Lallan, in a very critical condition. The doctor restricted us from taking any statement from the victim because of his serious condition. We had arrested all the accused persons. One of the accused Tashi was caught by the public and arrested immediately. Other co-accused persons were arrested after few days i.e., on 30<sup>th</sup> January, 2016 at around 8:15pm. We failed to collect any witness from the public regarding the incident i.e., the crime scene”.

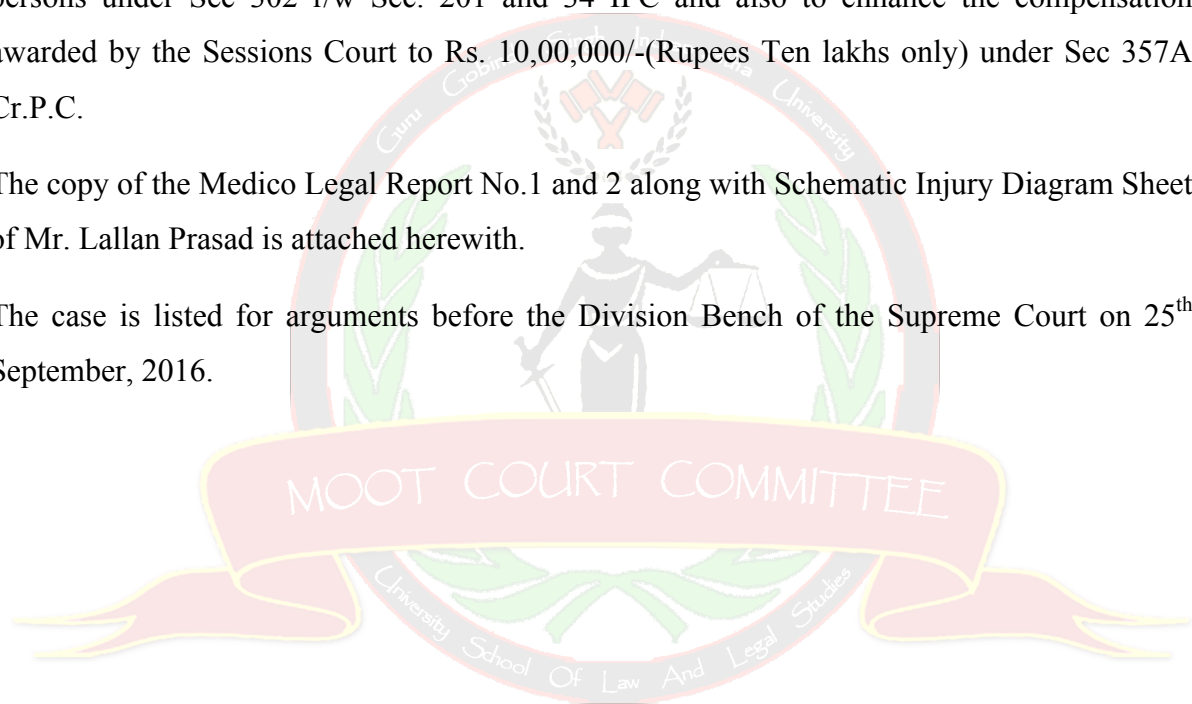
8. That all the statements of the accused persons under Section 313 Cr.P.C were taken wherein they stated that they were being falsely implicated due to the previous enmity with the complainant and his family members and they knew nothing about this event.
9. That Sessions Court convicted all the accused persons under Sec. 302 r/w Sec. 201 and 34 IPC, and sentenced each of them to life imprisonment. They were also asked to pay compensation of Rs. 2,00,000/- (Rupees two lakhs only) to the parents of Lallan immediately. Each of them was awarded rigorous imprisonment for 2 years under Section 201 IPC. Both the sentences were to run concurrently.
10. That the accused persons, aggrieved by the aforesaid judgement, appealed before the Honourable High Court seeking acquittal. Whereas, State filed an appeal for demanding the death sentence for the accused persons for such a heinous crime and for the enhancement of the amount of compensation taking into account the expenditure incurred in upbringing the

dead victim Lallan Prasad by his old parents. The High court adjudicated in the favour of the accuseds by acquitting them from all the charges under Sec.302 r/w Sec. 201 and 34 IPC, and dismissed the appeal of the State, the reason being bereft of any substance and rejected the testimony of Ballan considering it fabricated and concocted statement of an interested party.

11. Aggrieved by the said judgment of the Honourable High Court acquitting all the accused persons, the State filed an appeal before the Honourable Supreme Court of India on the ground that Honourable High Court has failed to take notice of the entire facts of the case as all the accused persons had a motive to harm the Prasad Family. The State also appealed for considering the offence as heinous crime and to award death sentence to all the accused persons under Sec 302 r/w Sec. 201 and 34 IPC and also to enhance the compensation awarded by the Sessions Court to Rs. 10,00,000/-(Rupees Ten lakhs only) under Sec 357A Cr.P.C.

The copy of the Medico Legal Report No.1 and 2 along with Schematic Injury Diagram Sheet of Mr. Lallan Prasad is attached herewith.

The case is listed for arguments before the Division Bench of the Supreme Court on 25<sup>th</sup> September, 2016.





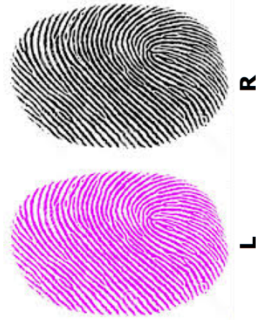
## DEEN DUKHI DUKHIYARA (3D) HOSPITAL MEDICAL RECORDS DEPARTMENT

MLC No. <b>E-33432</b>	Name <u>LALLAN PRASAD</u> Son of <u>Chander Prasad</u> Age <u>21</u> y Sex <u>M</u> Religion _____ Occupation _____ Residence <u>H-1111, Gali No. 14, Second Pusta, Sonia Vihar, Delhi-94</u> Name of the relative or friend <u>Mallan (brother)</u> Date of examination <u>24 / Jan /16</u> S.No. <u>E-33432</u>	Date and hour of arrival <u>24 May /16 00:15 a.m.</u> No. and date of Police docket <u>Sonia Vihar</u> No. and Name of Constable Ct. Jitender No. 2360/M Date of admission _____ Date of discharge _____ Date and hour of report sent to police _____
Space for particulars as to further reference to the case .....date of giving evidence in the Court, or dispatch of articles aid to contain position  MOI – Old scar make Rear Lt. side of forehead		Alleged history of assault as told by the patient  Pt. conscious Overted BP – 100 / 70 mmHg PR – 91 mm CVS → S <sub>1</sub> , S <sub>2</sub> Clear CNS NAD Chest P/A  L/E -
If admitted _____ Date of admission _____ Date of discharge _____ Date and hour of report sent to police _____		E-33432  Clothes (paint and shirt one each) sealed, and Received ASI – on duty, Harpal Singh, PS Sonia Vihar
Date and hour of arrival _____ No. and date of Police docket _____ No. and Name of Constable Ct. Jitender No. 2360/M Date of admission _____ Date of discharge _____ Date and hour of report sent to police _____		Name of Injuries <u>U / O</u> . (Simple, Grievous or Dangerous)
Date _____ of _____ 20____ [M.P.(C.L.) Job 609-100 Registers of 100 pages in Implicate-23.9.2015-www.modelling.gov.in]		The kind of weapon used or poison suspected in case of poisoning _____ Sharp _____

*Kamini*

**Name of the Medical Officer  
(in Block Letters)**

**Examining Medical Officer  
Deen Dukhi Dukhiyara (3D) Hospital, Delhi**



**SCHEMATIC INJURY DIAGRAM SHEET**

**Shr LALLAN PRASAD**

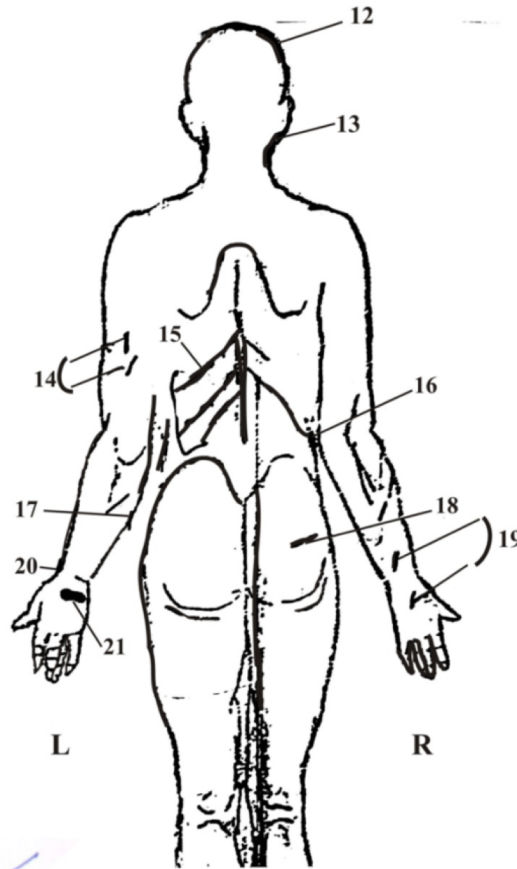
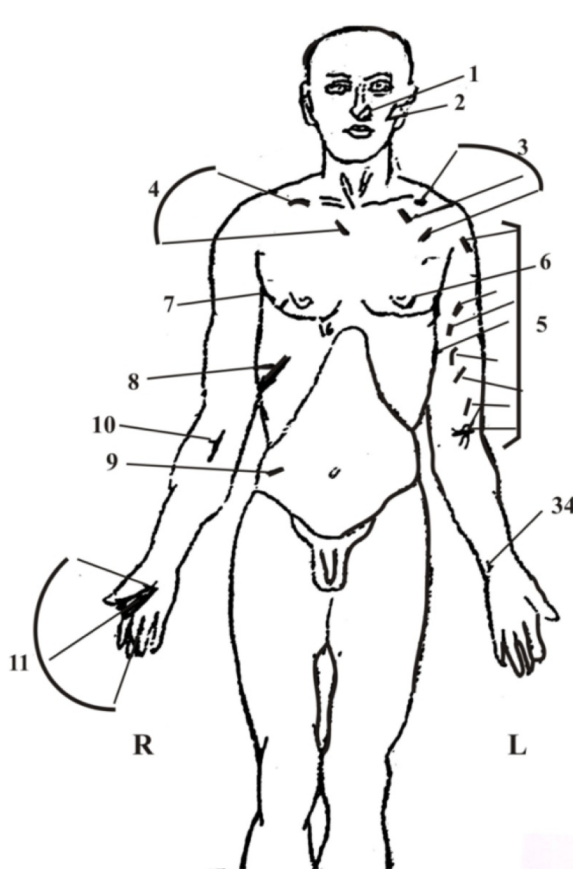
R/o H-1111, Gali No. 14, Second Pusta, Sonia Vihar, Delhi

Dated : 24.01.2016 PS : Sonia Vihar, Delhi-94

**NOT TO SCALE**

Head / UP

Head / UP



FEET / DOWN

FEET / DOWN

FRONT OF THE BODY

BACK OF THE BODY

**NOT TO SCALE**

## Medico Legal Report - 02

1. Contused lacerated wound 0.5cm X 0.2cm X nasal cavity deep present over the left ala of nose located 0.15cm below and to the left of nasal tip from mid-line.
2. Scratch abrasion present over the left side of the face of the cheek bone located 2cm below and to the left of lateral canthus of left eye.
3. Multiple contused abrasions present over the front of left chest and on the upper aspect in an area measuring 6cm X 5.5cm located 5cm above the left nipple and 9cm away from the mid-line.
4. Multiple scratch abrasions reddish varying in size from 5cm X 0.5cm (smallest) to 8cm X 0.9cm (largest) present over the front of the right upper chest located 4cm below and to the right of supra-sternal notch.
5. Multiple contused abrasions present all over the frontal aspect of left arm located in an area measuring 18cm X 4.5cm located 3cm below the lateral hand of cleical and 2cm above the elbow joint.
6. Contused abrasion measuring 1cm X 1cm present over the left chest located just above and to the left of left nipple.
7. Contused abrasion measuring 3cm X 2cm present over the outer aspect of right side of the chest located 4.5cm above and to the right of xiphisternum.
8. Clean cut stab wound, spindle shaped, 5cm X 0.3cm X 15cm present over the right lower chest, parallel to the coastal margin located 8cm below and to the right of xiphisternum and 14cm below the right nipple. On exploration, the wound track was directed backward, upperward and towards the left with smooth cleanly cut regular margin with piercing of skin, subcutaneous tissue, muscles and underlying liver.
9. Clean cut stab wound, spindle shaped, 4.5cm X 0.3cm X 10cm present over the right lower abdomen, parallel to the coastal margin located 14cm below the xiphisternum and 7cm below the right of mid-line. On exploration, the wound track was directed backward, upperward and towards the left with smooth cleanly cut regular margin with piercing of skin, subcutaneous tissue, muscles and underlying large intestine.
10. Clean cut stab wound, spindle shaped, 3cm X 0.3cm X 5cm present over the front of right forearm, the upper 1/3<sup>rd</sup> located 4cm below the elbow joint and 20cm above the wrist joint. On exploration, the wound track was directed backward, upperward and towards the left with smooth cleanly cut regular margin with piercing of skin, subcutaneous tissue, muscles and underlying lineal ulnar fracture.

11. Clean cut lacerated wound, 4cm X 0.3cm X 2.5cm present over the outer side of right palm located 4cm below the thenar eminence and 4cm below the base of right index finger.
12. Boggy contusion 5cm X 5cm present over the right vertex located 5cm above and to the right of occipital protuberance.
13. Boggy contusion 7cm X 6cm present over the right side of the back of the head located 7cm below the injury no.12 as mentioned above.
14. Multiple abrasions reddish present in an area measuring 10cm X 5cm over the back of left arm in the lower 1/3<sup>rd</sup> located 3cm above the olecranon.
15. Clean cut stab wound, spindle shaped, 3cm X 0.3cm X 5cm present over the left lower back along the direction of rib cage located 8cm above and to the right of posterior, superior, iliac spine and 10cm to the left of mid-line. On exploration, the wound track was directed backward, upperward and towards the left with smooth cleanly cut regular margin with piercing of skin, subcutaneous tissue, muscles and underlying left kidney.
16. Clean cut stab wound, spindle shaped, 3cm X 0.3cm X 5cm present over the left lower back along the direction of rib cage located 8cm above and to the right of posterior, superior, iliac spine and 10cm to the left of mid-line. On exploration, the wound track was directed backward, upperward and towards the left with smooth cleanly cut regular margin with piercing of skin, subcutaneous tissue, muscles and underlying right kidney.
17. Multiple contusions present over the inner aspect of left forearm in an area measuring 8cm X 5cm located 8cm above the ulnar styloid process and 10cm below the medial epicondyle.
18. Clean cut stab wound obliquely placed over the right buttock located 8cm below and to the right of coccyx. On exploration, the wound track was directed backward, upperward and towards the left with smooth cleanly cut regular margin with piercing of skin, subcutaneous tissue, muscles.
19. Contusion 2cm X 2cm present over the back/dorsum of right hand located 1cm below the wrist joint and 1.3cm to the right side of mid-line
20. Contusion 1.5cm X 0.5cm present over the frontal aspect of left forearm in the lower 1/3<sup>rd</sup> located 3cm above the wrist joint and 2cm to the left of mid-line.
21. Contusion 2cm X 2cm present over the back/dorsum of left hand located 2cm below the wrist joint and 1.5cm to the right side of mid-line

## IMPORTANT DATES

S.NO.	DATES	EVENTS
1.	RELEASE OF MOOT PROPOSITION ALONG WITH RULES	11 <sup>th</sup> July 2016
2.	LAST DATE FOR SUBMISSION OF REGISTRATION FORMS ALONG WITH THE DEMAND DRAFT (SOFT COPY)	12 <sup>th</sup> August 2016
3.	LAST DATE FOR SUBMISSION OF REGISTRATION FORMS ALONG WITH THE DEMAND DRAFT (HARD COPY)	17 <sup>th</sup> August 2016
4.	LAST DATE FOR MEMORIAL SUBMISSION (SOFT COPY)	9 <sup>th</sup> September 2016
5.	LAST DATE FOR MEMORIAL SUBMISSION (HARD COPY)	12 <sup>th</sup> September 2016
6.	REGISTRATION (AFTERNOON)	23 <sup>rd</sup> September 2016
7.	RESEARCHER'S TEST (EVENING)	23 <sup>rd</sup> September 2016
8.	PRELIMINARY ROUNDS (FORENOON)	24 <sup>th</sup> September 2016
9.	QUARTER-FINAL (AFTERNOON)	24 <sup>th</sup> September 2016
10.	SEMI-FINAL (FORENOON)	25 <sup>th</sup> September 2016
11.	FINAL (AFTERNOON)	25 <sup>th</sup> September 2016
12.	PRIZE DISTRIBUTION (EVENING)	25 <sup>th</sup> September 2016

# 5<sup>th</sup> INDRAPRASTHA NATIONAL MOOT COURT COMPETITION-2016



UNIVERSITY SCHOOL OF LAW AND LEGAL STUDIES  
GURU GOBIND SINGH INDRAPRASTHA UNIVERSITY  
SECTOR 16-C, DWARKA, NEW DELHI-110078

## REGISTRATION FORM

### A. PARTICIPATING INSTITUTION

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Faculty In-charge: \_\_\_\_\_

Designation: \_\_\_\_\_

Contact No: \_\_\_\_\_

Email: \_\_\_\_\_

### B. TEAM MEMBERS

#### Speaker 1:

Name: \_\_\_\_\_

Semester: \_\_\_\_\_

Sex: \_\_\_\_\_

Contact No: \_\_\_\_\_

Email: \_\_\_\_\_

PLEASE AFFIX YOUR  
PHOTOGRAPH HERE

**Speaker 2:**

Name: \_\_\_\_\_

Semester: \_\_\_\_\_ Sex: \_\_\_\_\_

Contact No: \_\_\_\_\_

Email: \_\_\_\_\_



**Researcher:**

Name: \_\_\_\_\_

Semester: \_\_\_\_\_ Sex: \_\_\_\_\_

Contact No: \_\_\_\_\_

Email: \_\_\_\_\_



**C. DECLARATION**

We the undersigned declare that the institution and its team members will abide by all the rules of the competition set out in the rules as notified to us from time to time throughout the period of the competition. We also declare and confirm that all the information provided in the registration form is true and accurate.

Speaker 1: \_\_\_\_\_

Speaker 2: \_\_\_\_\_

Researcher: \_\_\_\_\_

Faculty In-charge: \_\_\_\_\_

**Head/Dean**  
(Signatures with institution seal)