



THAKUR RAMNARAYAN COLLEGE OF LAW

LEX COMMUNIQUE -2024

NATIONAL APPELLATE MOOT COURT

LEX Communiqué
a new beginning...

PROPOSITION, RULES & REGULATIONS

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BRIEF FACTS

The story of Kirti Jadhav and the tragic events that unfolded in her family is a tale of love, betrayal, and the devastating consequences of societal judgment. The case of Kirti's death is shrouded in mystery, and it's up to the justice system to unravel the truth.

Kirti Jadhav, a 17-year-old girl, lived with her parents, Mrs. Mukti Jadhav and Mr. Shankar Jadhav, in a quiet suburban neighborhood. The Jadhav family appeared to be a close-knit unit, but beneath the façade of domestic harmony lay a web of secrets and turmoil.

Their family dynamics were further complicated by the presence of Shubham More, a 40-year-old house helper, and his son, Mohit More, who often assisted his father with household chores. Kirti's life took an unexpected turn when she struck up a close friendship with Mohit. This platonic friendship soon evolved into a passionate love affair, which neither of them could have foreseen and furthermore they both were sexually active.

Their secret romance remained hidden from the prying eyes of the world until one day, it came to the attention of Kirti's parents, Mrs. Mukti Jadhav and Mr. Shankar Jadhav. The revelation of this forbidden love sent shockwaves through the Jadhav family and the close-knit society they lived in.

The affair became the talk of the town, spreading like wildfire through the gossip mills of the neighborhood. Kirti and Mohit's relationship became a subject of mockery and judgment in the community, tarnishing the family's reputation.

Mohit had a history of consuming Marijuana (Ganja) before he met Kirti. This established that he was already familiar with the substance before their friendship began.

Mohit and Kirti became close friends and, during this time, both of them started consuming Marijuana together. This demonstrates that their consumption was a mutual and consensual activity.

Mr. Shankar Jadhav, who had struggled with alcohol abuse for years, found himself at odds with Kirti on the fateful night of January 4, 2024. Fueled by anger and embarrassment, Shankar confronted his daughter about the affair, holding her responsible for the family's deteriorating reputation.

Kirti vehemently denied any romantic involvement with Mohit, but her words fell on deaf ears. Even her mother, Mrs. Mukti Jadhav, who had always been a staunch supporter of her daughter, found herself isolated and scorned in her social circles, particularly at the Kitty Parties where society women congregated and whispered about the Jadhav family's disgrace.

Eventually, the gap between the More Family & the Jadhav Family started widening and Kirti abstained herself from social interactions of any sort. Consequently, Kirti's dead body was discovered by her father.

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FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C)

1. **District:** Mumbai **Police Station:** M.I.D.C. **Year** 2024 **F.I.R. No.** 69/2024 **Date** 06/01/2024
2. (i) **Act:** Indian Penal Code, 1860 (I.P.C) **Sections:** 302
3.
 - (a) **Occurrence of Offence: Day:** Saturday **Date:** 06/01/2024 **Time:** 11:00 pm to 11:45 pm
 - (b) **Information received at P.S. Date:** 07/01/2024 **Time:** 12:00 am
 - (c) **General Diary Reference: Entry No(s):** 42/2024 **Time:** 12:45 am
4. **Type of information:** Oral
5. **Place of occurrence:** 101 Sagar Apt. J.P. Nagar, Andheri East, Mumbai-400093.
 - (a) **Direction and Distance from P.S.** North East 2.1 km
 - (b) **Address:** 101 Sagar Apt. J.P. Nagar, Andheri East, Mumbai-400093
 - (c) **In case outside limit of this Police Station, then:**
The name of P.S.
District.....
6. **Complainant / informant :**
 - (a) **Name:** Shankar Jadhav
 - (b) **Father's / Husband's Name:** Hemant Jadhav
 - (c) **Date of Birth/Age:** 4/02/1973 (51yrs) (d) **Nationality:** Indian
 - (e) **Passport No:** **Date of Issue**..... **Place of Issue**
 - (f) **Occupation:** Businessman
 - (g) **Address:** Flat no 101 Sagar Apts/.J.P. Nagar/ Andheri East, Mumbai.
7. **Details of known / suspected / unknown / accusedwith full particulars (Attach separate sheet if necessary):** Unknown

8. **Reasons for delay in reporting by the complainant / Informant:** N/A

9. **Particulars of properties stolen / involved (Attach separate sheet if necessary):**
N/A

10. **F.I.R. Contents (Attach separate sheets, if required):**

My name is Shankar Jadhav. I am the father of Ms. Kirti Jadhav. A tragic incident has occurred in my house. My daughter was hanged in her bedroom as soon as I entered her room I saw her hanging from the fan, I removed her from the rope and immediately took her to the hospital. Just before the incident took place, I saw Mohit entering the room. I'm sure he has some hand in this therefore seek justice.

11. **Action taken: Since the above report reveals commission of offence (s) u/s as mentioned at Item No.2:** Mr. Vishwas S. Patil P.I. has taken up the investigation.

F.I.R. read over to the complainant / Informant, admitted to be correctly recorded and copy given to the Complainant / Informant free of cost.

12. **Signature /Thumb-impression of the complainant / informant:**

Sd/-

Signature of the Officer-in-charge,

Police Station:

Name: Vishwas. S. Patil

Rank: P.I.

Sd/-

ANNEXURE - STATEMENTS OF WITNESS

{Under Sec.161 of the Code of Criminal Procedure, 1973}

PROSECUTION WITNESS:

PW 1 – Shankar Jadhav

PW 2 – Dr. Tanvi Gangawane

PW 3 – Rarikutt Desai

PW 4 – Namrata Sharma

PW 5 – Forensic Expert

PW 6 – Investigating Officer (Vishwas S. Patil)

DEFENCE WITNESS:

DW 1 – Mohit More

DW 2 – Shubham More

DW 3 – Simon Joseph

PW -1 Mr. Shankar Jadhav {Father of the Deceased}

“I, Shankar Jadhav s/o Hemant Jadhav, I am literally devastated and I am heartbroken, since I have lost my only daughter, Kirti Jadhav. However, to make my suffering even more unbearable, I find myself unjustly accused in her death. I implore the court to consider the sheer illogicality of the situation. Why on earth would I kill my own flesh and blood, my beloved daughter, Kirti?”

My paternal instincts were always centered around protecting and guiding Kirti, not causing her harm. My actions were born out of love and concern for her well-being, and the reputation of our family, which was undeniably at stake. Kirti was the apple of our eye, the only child we had, and her conduct was a reflection of our family's honor.

Mohit More, the young man who has come under scrutiny, was not merely a stranger but akin to a son to me. I have shared a deep bond with the More family, and our relationship has always been one of mutual respect and support. I have never treated them with disdain or malice. However, our society is often judgmental, and it demands that we conform to certain standards. It is this societal pressure that compelled me to take certain actions, which I believed were in the best interests of our family and Kirti's future.

In this context, it is essential to understand that the decisions I made were not rooted in animosity but in the desire to protect our family's reputation and my daughter's prospects. I had asked Kirti to establish boundaries, to be cautious of her actions, and to maintain the decorum befitting our social

standing. Because I was informed by Simon Joseph that Mohit used to consume illicit substances and also used to create ruckus in the building and used to interact with suspicious people. Kirti understood the gravity of the situation and willingly accepted my guidance, as any responsible parent would expect from their child.

However, what transpired next was entirely unexpected. I overheard a conversation between Kirti and her childhood friend, Namrata, in which Kirti expressed her frustration and distress. She said, "What should I do? He's not ready to listen, and my dad is not ready to accept what's going on." These words left me deeply troubled, as I had believed that Kirti was willingly cooperating to safeguard our family's reputation.

Upon learning about the conflict, she was facing, I made a difficult decision – a decision that tore my heart apart but was, in my belief, necessary to protect the honor of my family. I decided to distance the More family from the Jadhav's. I knew that this separation would be painful for all of us, but I was willing to bear this burden to shield my family from societal scrutiny and to ensure my daughter's future remained untarnished.

On the night of 6th January, Mohit unusually, stayed back past 9:00 PM. Where I saw him entering Kirti's Room thinking I didn't notice him. I was furious and decided to check on my daughter, but I thought I should check till what time he stays in and to catch them red handed. After 15 mins or so, he hurriedly left the house and I thinking what happened rushed into her room only to find out what happened and I found my daughter hanging to the ceiling. I immediately tried to save her and took her off the ceiling and removed the rope around her. We rushed to the nearest hospital where she was declared dead. The hospital officials informed the same to the Police.

I did not want to harm Kirti or anyone else. I acted with the best intentions for my family, and I was unaware of the tragic turn of events that unfolded later. I never imagined that my efforts to maintain our reputation would lead to such a terrible outcome.

I implore this court to consider the facts, the circumstances, and the context in which my actions took place. I beseech you to see that I am a grieving father who never intended any harm to befall his beloved daughter. I trust in the justice system to uncover the truth and clear my name of any wrongdoing in this tragic and devastating incident." *a new beginning...*

PW 2 – Dr. Tanvi Gangawane

"I, Dr. Tanvi Gangawane, solemnly affirm that I am providing this statement willingly and based on my professional duties. I am a licensed medical practitioner, and I conducted the post-mortem examination of the deceased, Kirti Jadhav.

The post-mortem examination revealed the following findings:

There were two distinct ligature marks observed around the neck area. The first set of marks formed a "V" shape near the larynx, with a fracture detected along the trachea and the hyoid bone. Additionally, a set of "O" marks was identified a little above the larynx bone area. These marks indicated signs of external pressure applied to the neck, resulting in ligature strangulation.

Dried blade cut marks were present on the left wrist. These marks, while older in nature, indicated a history of self-inflicted injury or self-harm.

Apart from the aforementioned findings, no other external injuries were observed on the body of the deceased.

The face exhibited signs of congestion, appearing livid, and marked with petechiae. These signs were consistent with asphyxia, suggesting that the deceased had experienced a lack of oxygen.

Abrasions were present near the neck area, surrounding the ligature marks. Additionally, ecchymoses were noted around the edges of the ligature marks, indicating pressure exerted on the neck area. The base of the groove or furrow was observed to be hard, yellow, and parchment-like in texture.

Minimal emphysematous bullae were detected on the surface of the lungs. The lungs contained black soot contents, indicating the inhalation of noxious substances. Injured cell linings of the large airways were also noted, suggesting irritation and damage to the respiratory system.

Swelling and inflammation were observed in the bronchial tubes, indicative of bronchitis. Furthermore, tar was found in the lungs, suggesting exposure to harmful and toxic substances, such as smoke or other noxious fumes.

In light of these findings, the cause of death was determined to be ligature strangulation, resulting from external pressure applied to the neck. The presence of old blade cut marks on the left wrist raises questions about prior self-harm or self-inflicted injury. The examination also indicates exposure to noxious substances and suggests inhalation of harmful materials, contributing to the observed bronchitis.

This statement is made to provide a factual and professional account of the post-mortem examination's findings, which may aid in the ongoing investigation related to the circumstances surrounding Kirti Jadhav's demise.”

PW 3 – Rarikutt Desai {Neighbour}

“I, Rarikutt, am a neighbor of the Jadhav family and have known them for a considerable time. Mr. Jadhav is a philanthropic and hardworking individual who deeply cares for his family, especially his beloved daughter, Kirti. Recently, rumors began circulating in our building regarding an alleged relationship between Kirti and Mohit.

Observing Mr. Jadhav's evident distress due to these rumors, I approached him to assure him that they should not be believed. However, it appears that he remained skeptical of my words. Over the following weeks, Kirti's public appearances became rare, and I could hear loud arguments and discussions related to this matter, including Mr. Jadhav using abusive language towards Kirti regarding Mohit. There was even an instance when I overheard Mrs. Jadhav pleading with him not to harm their own daughter, a sight that shocked me because I knew how much Mr. Jadhav loved Kirti.

On the day of the incident, while getting ready for work, I heard Kirti's desperate cry that it would be better for her to end her life rather than face the torment. Mr. Jadhav replied, stating that she need not do so because he would take her life. Subsequently, I heard a loud noise, likely the sound of the door slamming shut, and witnessed Mr. Jadhav leaving for the office. At that moment, I contemplated intervening but chose not to, a decision I now deeply regret.”

PW 4 – Namrata Sharma {Friend of the Deceased}

“I’m Namrata Sharma, age 18 years. I have been a friend of Kirti Jadhav since our early childhood. Kirti was a remarkably bright and kind-hearted individual. She possessed a sharp mind and was deeply dedicated to her academic pursuits, with a strong desire to make a difference in the lives of less fortunate people. Over the years, I became closely acquainted with the Jadhav family, and I was well aware of the dynamics within their household.

Kirti's father, Mr. Jadhav, struck me as a conservative and possessive individual, particularly when it came to his daughter. He had a tendency to obstruct any activities that were not purely academic in nature. His restrictions extended to the point where he even limited Kirti's interactions and outings with friends like me or our group. It was evident that Mr. Jadhav's overbearing nature was a significant source of constraint in Kirti's life.

In recent months, I became increasingly aware of the ongoing turmoil in Kirti's life. Rumors had surfaced suggesting that Mr. Jadhav harbored suspicions about Kirti's involvement with Mohit. However, I can state with absolute certainty that this was not the case. Kirti was an incredibly friendly and amiable person who treated everyone with kindness and respect. It was my belief that Mr. Jadhav's conservative outlook led him to misinterpret Kirti's sociable nature and view her interactions with others, including Mohit, through a negative lens.

Kirti confided in me about the severe constraints placed upon her movements by her father. She explained that she was no longer allowed to leave the house freely. Furthermore, she shared her apprehension about her father's intent to confiscate her phone, which, I believe, he eventually did after the specified date. Following this point, there was no contact between Kirti and me.

Occasionally, she managed to send me text messages, expressing her frustration and distress over her father's unreasonable demands. In a state of intoxication, Mr. Jadhav would verbally abuse Kirti to an alarming extent. It pained her to witness her father's transformation under the influence of alcohol. She conveyed to me the turmoil and psychological distress she experienced as a result of his behavior. It was clear that Kirti was enduring significant emotional suffering within the confines of her family home.

PW 5 – Dr. Arya Baadkar {Forensic Expert}

“I, Dr. Arya Baadkar, am providing this statement as a forensic expert representing the Forensic Science Laboratory (FSL) team, with the intent of presenting the findings from the Blood Analysis Report and Fingerprint Analysis Report as part of my professional duties.

As part of the investigation, fingerprints recovered from specific areas of interest, including the fan and rope, were sent to our laboratory for analysis. Additionally, two fingerprint samples, identified as Fingerprint Sample No. 129395-02-F1 and Fingerprint Sample No. 129395-03-F2, were submitted for examination. Our findings from the Fingerprint Analysis Report are as follows:

The fingerprint samples obtained from the rope were analyzed, and it was determined that they matched Fingerprint Sample No. 129395-02-F1.

The fingerprints recovered from the blades of the fan and the mounting tops of the fan were also subjected to analysis. Our examination revealed that these fingerprints matched with Fingerprint Sample No. 129395-03-F2.

These findings indicate the presence of the different individual's fingerprints on the rope and the fan, which is a crucial piece of evidence in this case.

Furthermore, the Blood Analysis Report was conducted to assess specific parameters related to blood composition. Our analysis primarily focused on Blood Alcohol and Tetrahydrocannabinol (THC) levels, both of which are indicators of intoxication. The following findings were observed in the Blood Analysis Report:

The Blood Alcohol levels were found to be significantly elevated, exceeding the normal range. However, it is essential to note that individual tolerance to alcohol varies, and elevated blood alcohol levels do not necessarily indicate intoxication. Factors such as body weight, metabolism, and alcohol tolerance can affect the interpretation of these results.

The Tetrahydrocannabinol (THC) levels in the blood were also significantly higher than the normal threshold. Elevated THC levels strongly indicate the presence of cannabinoids in the bloodstream, suggesting the consumption of substances that contain THC, such as marijuana or related products.

In both cases, the elevated levels of Blood Alcohol and THC in the blood provide compelling evidence of possible intoxication. These findings are crucial for understanding the individual's state at the time of the incident and may be instrumental in the overall investigation.

I have provided this statement to convey the results of our forensic analysis and to assist in the ongoing investigation, highlighting the significance of fingerprint matching and the presence of intoxicants in the blood.”

PW 6 – Investigating Officer {Vishwas S. Patil}

“I, Vishwas S. Patil, serving as the Investigating Officer in the present case and currently holding the position of the Station House Officer (SHO) at MIDC Police Station, hereby provide this statement voluntarily and based on my official duties.

On the day in question, we received a distress call from the MIDC Hospital, reporting a death that had occurred under suspicious circumstances. My team and I promptly proceeded to MIDC Hospital. Upon our arrival, the hospital staff informed us that they had declared the individual deceased, and the Chief Medical Officer advised that the body be sent for a post-mortem examination. In accordance with the medical advice, we initiated the necessary procedures for the post-mortem examination.

Following the completion of the formalities at the hospital, we immediately proceeded to the location of the incident. I had previously alerted the investigative team, and they were already present at the scene, having cordoned off the room where the incident had taken place. To ensure the impartiality and transparency of our investigation, we summoned the secretary and chairman of the building to act as independent witnesses, known as 'Panchas.'

During the course of the investigation, we created a spot map of the house to document the layout and relevant details. We also conducted a seizure panchanama, in which we seized the rope that had been used in the apparent act of suicide. Additionally, we seized the mobile phone of the deceased, as well as a packet that appeared to contain a substance suspected to be Ganja. A similar packet was discovered in the quarters of the Helpers. Given the involvement of suspected drugs, we promptly informed a gazetted officer to oversee this aspect of the case.

Subsequently, the Forensic Science Laboratory (FSL) team arrived at the scene. I instructed them to conduct a thorough search for fingerprints, with a specific focus on the rope and the fan within the room. We also became aware that a webcam had been installed in the house, and we seized its SD card for further examination.

Following these initial procedures, we conducted an Inquest Panchama to record the preliminary findings of our investigation. The following day, we proceeded to take statements under Section 161 of CrPC from various individuals, including Simon Joseph (the watchman), Rarikutt Desai (a neighbor), Shankar Jadhav (the deceased's father), Shubham More (a Helper and the father of Mohit More), and Mohit More himself.

Additionally, one Namrata Sharma expressed her desire to provide her testimony and present her chat records with the deceased. We assured her that her statement and chat records would be duly considered in our ongoing investigation.

I hereby affirm the accuracy and truthfulness of the information provided in this statement and the actions taken by the investigative team in relation to this case.”

DW 1 – Mohit More {Housekeeper}

“I’m Mohit More s/o Shubham More. I come from a very poor family, and there was a time when we like we would never be able to escape the clutches of poverty. It was during these challenging times that Mr. Shankar Jadhav, a man of great compassion and generosity, extended a helping hand to my family.

Mr. Jadhav offered my parents the opportunity to work as house helpers in his household, providing them with a source of livelihood when there were few alternatives available. Additionally, he went above and beyond by offering my family a place to live in the quarters, ensuring that we had a roof over our heads and some semblance of stability.

Furthermore, Mr. Jadhav didn't stop at just providing my parents with employment and shelter; he recognized the importance of education and supported me in completing my primary education. This was a turning point in my life, as it opened doors to a brighter future and gave me the chance to break free from the cycle of poverty that had gripped my family for generations.

For me, the Jadhav family, and particularly Kirti Jadhav, were not just employers or benefactors but akin to godsends. They provided us with not only the means to survive but also the hope for a better life. Kirti, in particular, held a special place in my heart. She wasn't just a friend; she was my first friend and confidante. Kirti treated me with kindness and respect, never letting me feel inferior due to our different backgrounds. She valued our friendship, and I, in turn, held her in high regard.

The idea of harming the Jadhav family, especially Kirti, is unimaginable to me. Their selflessness and compassion have left an indelible mark on my life, and I would never even consider causing harm to those who have been like family to me.

I solemnly declare that I had no involvement in any act that could harm Kirti or the Jadhav family in any way. I am fully committed to cooperating with the authorities and the legal process to help bring clarity to this tragic situation and ensure that justice is served.”

DW 3 – Shubham More {Housekeeper}

“I’m, Shubham More, I come from a very impoverished family, and there was a time when my family struggled to afford even a single meal. It was during this trying period that Mr. Shankar Jadhav showed extraordinary kindness and generosity by employing me and my wife as househelpers. Moreover, he extended his benevolence by helping my son complete his primary education. Mr. Jadhav not only provided us with shelter in the quarters but also offered us the means to lead a more dignified life. I am deeply grateful to him for the support he provided to my family when we were in dire need.

Mr. Jadhav treated my son, Mohit, as if he were his own, and in return, my son held him in the highest regard. Mohit has always spoken highly of the Jadhav family, expressing his heartfelt gratitude towards them. He would often tell me how he could never even fathom harming the Jadhav family, who were like angels in our lives. Mr. Jadhav and Kirti, in particular, held a special place in Mohit's heart.

Kirti was Mohit's very first friend, and she welcomed him with open arms. She never once made him feel inferior or like an outsider. Their friendship was genuine, and it was evident that they cared deeply for each other. Kirti's kindness and compassion left an indelible mark on Mohit's heart, and he reciprocated her kindness with unwavering loyalty and affection.

However, in recent months, the dynamics within the Jadhav family began to change dramatically. Mr. Jadhav, who had been our savior and a fatherly figure to Mohit, suddenly started distancing us. He started insinuating that we should seek alternative sources of income and shelter, which was a shock to us. The Jadhav family had been our lifeline, and we had come to depend on their support for our very survival.

I tried to approach Mr. Jadhav to discuss the sudden change in our situation, but he brushed me off and, on one occasion, even resorted to physical force, pushing me away when I persisted in seeking an explanation. This cold and distant behavior from Mr. Jadhav was deeply distressing to us, and we could not understand why he was suddenly withdrawing his support.

As we tried to make sense of the situation, we came to learn that the reason behind Mr. Jadhav's abrupt change in attitude might be related to the close friendship between Kirti and my son, Mohit. We were devastated by this revelation because we believed that Mr. Jadhav considered Mohit as a part of his own family. To make matters worse, Mr. Jadhav's behavior took an even darker turn when he would consume alcohol excessively and subject my son to verbal abuse.

One such occasion when Mr. Jadhav was inebriated, he confronted Mohit and sternly warned him to stay away from Kirti. This left my son feeling hurt and bewildered because he had always regarded Mr. Jadhav as a father figure and a mentor. The sudden change in Mr. Jadhav's attitude and the verbal abuse deeply disturbed my son and added to the emotional turmoil we were experiencing.

In conclusion, I want to emphasize that there is no way my son, Mohit, would have ever contemplated harming the Jadhav family, especially Kirti, who held a special place in his heart. We were utterly dependent on their support, and the relationship between Kirti and my son was based on genuine friendship and care. The sudden change in Mr. Jadhav's behavior and the ensuing turmoil

within the Jadhav family deeply saddened us, and we had no motive or inclination to harm them in any way.

DW 4 – Simon Joseph {Watchman}

“I’m Simon Joseph, I have been employed as a Watchman for over 10 years. I have had the privilege of working in close proximity to Mr. Jadhav, who is not only a prominent and kind- hearted member of our society but also a well-respected figure who has always been ready to assist anyone in need. However, in recent weeks, I have observed Mr. Jadhav carrying a heavyburden of worry, and this has been primarily due to the concerning anti-social activities involving a man named Mohit.

Mohit was known to be a chain smoker, and he was often involved in the consumption of suspicious substances, which he frequently obtained from questionable individuals. I deemed it my duty to inform Mr. Jadhav of this matter, and I did so on a prior occasion. In response, Mr. Jadhav assured me that he would look into the issue. On various occasions, I even witnessed Mohit carrying packages to Mr. Jadhav's residence. I assumed this to be related to the substances he was acquiring, and this likely played a role in Mr. Jadhav's decision to expelthe More Family from his house.

Furthermore, Mohit had a reputation for becoming intoxicated and causing disturbances withinour building. Witnessing a person like him associating with a young girl like Kirti was disheartening. Kirti's family, especially Mr. Jadhav, held a position of high regard within our society due to their numerous contributions and acts of goodwill. I felt deeply concerned for Mr. Jadhav, who was facing not only a threat to his family's reputation but also a personal distress.

On the day of the incident, I observed that Mohit deviated from his usual schedule. Typically, he would conclude his duties around 9:00 PM. This deviation from his routine and his overall demeanor made me considerably suspicious.

Later that evening, Mr. Jadhav screamed my name I rushed to his Flat till then he had Kirti inhis arms I helped him taking to their car after which they left for the hospital.

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ARREST MEMO

FORM – IF3 - (Integrated Form)

ARREST / COURT SURRENDER MEMO (Separate Memo for each accused)

1. *Dist. Mumbai *P.S. MIDC *Year 2024 *FIR No. / Proceeding No. 69/2024 *Date 8/1/24
* Alphanumeric code of the Accused A.1 (Write A1 to A9 for the first 9 persons, B1 for 10th persona and so on)
2. Date & Time of Arrest / Surrender: *Date 8/1/24 Time 11:00 AM G.D. No. 3356
3. Name of the Court (if surrendered): _____
4. *Acts and Sections: 302 IPC
5. *Arrested and sent up/ Arrested and released on bail / Surrendered in court and bailed out / Surrendered in court and sent to judicial custody / Surrendered in court and remanded to Police custody (tick applicable portion).
6. Particulars of the Accused:
- (i). *Name: Shankar Jadhav
- (ii). *Father's / Husband's Name Hemant Jadhav
- (iii). *First Alias: _____
- (iv). *Second Aliases: _____
- (v). *Other Aliases: _____
- (vi). *Nationality: Indian (vii) (a) *Passport No. _____
(b). *Date of Issue: _____ (c). *Place of Issue _____
- (viii). *Religion Hindu (ix). *Caste / Tribe Kshatriya
- (x). *SC/ST _____ (xi) *Occupation: Business
- (xii). *Permanent address: 101, Sagar Apts / J.P. Nagar / Andheri (E)
400 093 Distt. Mumbai P.S. MIDC - Andheri
- (xiii) *Present Address: _____
_____ Distt. _____ P.S. _____
7. Injuries, cause of injuries and physical condition of the accused person (Indicate if medically examined):
Medically Examined _____

8. The accused, after being informed of the grounds of arrest and his legal rights, was duly taken into custody on 8/11/24 (date) at 11:00 AM (hours) at M.I.D.C. Police Station (place). The following article(s) was / were found on physical search, conducted on the person of the accused, and were taken into possession for which a receipt was given to the accused. **

1 Mobile 2 wallet
 3 Watch 4 Chain
 5 Ring 6 Clothes

Necessary wearing apparels were left on the accused for the sake of human dignity and body protection.

The accused was cautioned to keep himself / herself covered for purpose of identification.

Intimation given to Mukti Jadhav (Relationship) Wife

** If no article found, 'Nil' may be indicated in the blank space provided below:

9. Physical features, deformities and other details of the accused:

*Sex	*Date / Year of Birth	*Build	*Height in Cms.	*Complexion	*Identification Marks
1	2	3	4	5	6
Male	4/02/1973	Average	177.8 cms	Brown	Burn Marks on right Thigh

(For Modus Operandi offences only)

*Deformities / peculiarities	*Tech	*Hair	*Eye	*Habit(s)	*Dress habits
7	8	9	10	11	12
—	—	—	—	—	—

*Languages / Dialect	PLACE OF				
	*Burn Mark	*Leucoderma	*Mole	*Scar	*Tattoo
13	14	15	16	17	18
Marathi Hindi English	Right Thigh				

*Other features (19)

10. Whether finger-print taken or not?: Yes

11. Socio-economic profile of the accused showing:

(a). *Living Status: Living alone or with Family / Relation / Associate in Pucca House / Hotel / Hostel / Kachcha House / Thatched House / Slum or is homeless. ✓

(b). *Educational qualification(s): B.Com

(c). *Occupation: Business

(d). *Income Group:

(i). Lower Income (Below Rs. 500/P.M.)

(ii). Lower middle Income (From Rs. 501 to Rs. 1000)

(iii). Middle Income (From Rs. 1001 to Rs. 2000)

(iv). Upper Middle Income (From Rs. 2001 to 3000)

(v). Upper Income (above Rs. 3000)

12. Whether the accused person, as per the observations and known Police records:

* (a) Is dangerous Yes/No

* (b) Previously escaped any bail Yes/No

* (c) Is generally armed Yes/No

(d) Operates with accomplices Yes/No

(e) Has past criminal records Yes/No

(f) Is recidivist Yes/No

* (g) Is likely to escape bail Yes/No

* (h) If released on bail, is likely to commit another crime Yes/No

Immediately or threaten the victims / witnesses. Yes/No

* (i). Is wanted in any other case Yes/No

Signature of the Investigating officer with:

Name: Vishwas S. Patil

Rank: Inspector

Number, if any: —

Date: 8/1/24

Place Andheri (E)

INQUEST PANCHANAMA

(U/S 174 OF CrPC)

Pancha 1.: My name is Anilkumar Patil aged 50 yrs. Residing in 201, Sagat Apts. hereby state that the inquest panchanama was made in front of me and was read, explained to me and is best to my knowledge.

Pancha 2.: My name is Rakesh Sharma aged 52 yrs an Engineer. Residing in 301, Sagat Apts. hereby state that the inquest panchanama was made in front of me and was read, explained to me and is best to my knowledge.

1) Police Station:	MIDC Police Station
2) MLC/OPD/IPD:	G/62294
3) Officer who has made Inquest Panchanama:	Vishwas S. Patil
4) Place where the corpse has been found:	Hospital (MIDC)
5) Person who has shown the corpse:	-
6) Person who had identified the corpse:	Shankar Jadhav
7) Gender of the corpse:	Female
8) Name of the Deceased / Deceased's Village:	Kirti Jadhav; Satara
9) Date & Time of Death:	12 AM; 7/1/24

10)	Condition of the corpse and its direction:	
	—	
11)	Corpse whether hot / cold:	
	Cold	
12)	Face: Pale	13) Head: Intact
14)	Chest: No injuries	15) Mouth: Intact
16)	Stomach: No injuries	17) Teeth: Intact
18)	Both Legs: Normal	
19)	Both Hands: Normal	
20)	Posterior Part: Normal	
21)	Genitals: Normal	
22)	External Injuries: Cut marks on the left wrist	
23)	Clothes & Belongings: Red top, black shorts	
24)	Pancha & Officers overview pertaining to Death: Suspicious	

The above mentioned Panchas have seen, read, are briefed as well as explained about the Panchanama and is true to their knowledge.

25)	The corpse has been sent by whom:
26)	Date & Time of Panchanama: 12AM; 7/1/24

Signature of Panchas:

1. Pancha: Anilkumar Patil: Sd/-
2. Pancha: Rakesh Sharma: Sd/-

PROPERTY SEIZURE
MEMO(U/S 102 of CrPC)

1) **District:** Mumbai

P.S.:M.I.D.C

2) **FIR No.:**69/2024

Date:07/01/2024

3) **Acts and Section** (a) 302 I.P.C.

4) **Property seized / recovered/ discovered at:** Flat no 101 Sagar Apt J.P. Nagar.,
Andheri East, 400093.

5) **Pancha Witnesses:** 1. Anilkumar Patil
2. Rakesh Sharma

6) **Action Taken / recommended for disposal of perishable property:** N/A

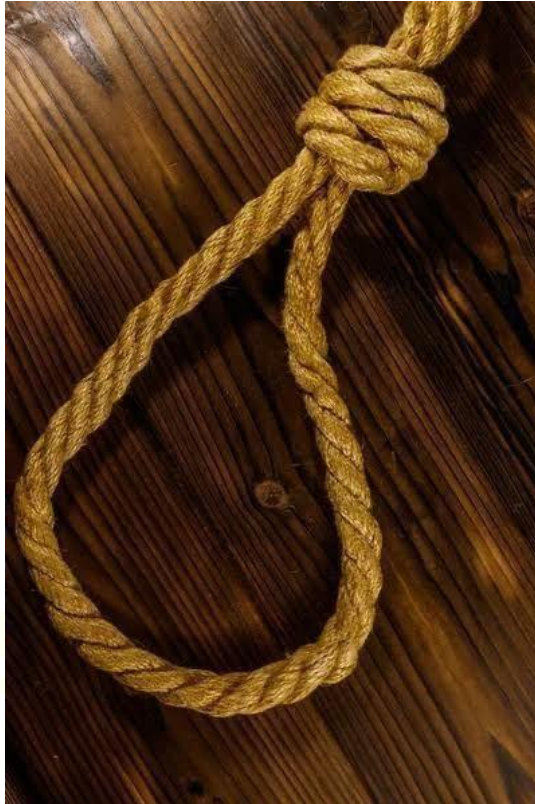
7) **Action Taken / recommended for keeping of Valuable property:**

All the items which were seized were kept in evidence box and the box was sealed.

8) **Identification Required:** The seized items were identified and marked.

9) Detail of Property seized / Recovered:

Sl. No	Property description	Estimated value (in Rs.)	P.S. property Register No.	From whom/where recovered or seized
1	2	3	4	5
1.	Rope used to commit suicide.	N/A	129395-01-I 1	Recovered from the deceased's room.
2.	Phone of the deceased.	1,20,000	129395-06-I 6	Recovered from the deceased's room.
3.	Blade of the fan	N/A	129395-02-I 2	Recovered from the deceased's room.
4.	Mounting top of the fan	N/A	129395-03-I 3	Recovered from the deceased's room.
5.	Packet of Marijuana	N/A	129395-04-I 4	Recovered from the deceased's room.
6.	Packet of Marijuana	N/A	129395-05-I 5	Recovered from the Servant's Quarter.



129395-01-I 1



129395-06-I 6



129395-02-I 2



129395-03-I 3



129395-04-I 4 - 129395-05-I 5

1. **Pancha:** Anilkumar Patil – I hereby say that the whole investigating took in my presence and the panchanama was made in front of me and was showed tome and is best to my knowledge.

Sd/-

2. **Pancha:** Rakesh Sharma – I hereby say that the whole investigating took in my presence and the panchanama was made in front of me and was showed tome and is best to my knowledge.

Sd/-

Name of the Investigating Officer: Vishwas S. Patil

Rank: P.I.

Signature: Sd/-

SCENE OF OFFENCE – PANCHANAMA

Date: 07/01/2024

Pancha No. 1:

Name: Anilkumar Patil (Chairman of the Building)

Age: 50 years

Residing at: 201 Sagar Apt, J. P. Nagar, Andheri (E), Mumbai - 400093

Pancha No. 2:

Name: Rakesh Sharma (Secretary)

Age: 52 years

Residing at: 301 Sagar Apt, J. P. Nagar Andheri (E), Mumbai - 400093

We, the above-mentioned Panchas were called by Vishwas S. Patil, the Investigating Officer, to act as Panchas in the present case on 07th January, 2024 at about 1PM. The investigating team with gloved hands and masked mouths entered the premises. With all the precautions they collected a Rope used to commit suicide which was found inside the room of the deceased and marked it as 129395-01-I 1. Also, they discovered phone of the deceased and sealed them in a transparent package with I.O. markings as 129395-06-I 6. Furthermore, the Blade of the fan and Mounting top of the fan for analysis the Fingerprints on it and the same were marked as 129395-02-I 2 & 129395-03-I 3.

They even found 2 packets of marijuana in deceased room as well as Servants quarter room and same were sent for the analysis and same were marked as 129395-04-I 4 & 129395-05-I 5.

Except for the items mentioned above, no other item/property was seized by the police in our presence. The Panchanama concluded at about 2:30 P.M. on the same day, and it was conducted in an orderly manner. The contents of the Panchanama were read over to us and are correctly recorded.

Pancha No. 1 - _____ : Sd/-

Name of the I.O.: Mr. Vishwas S. Patil

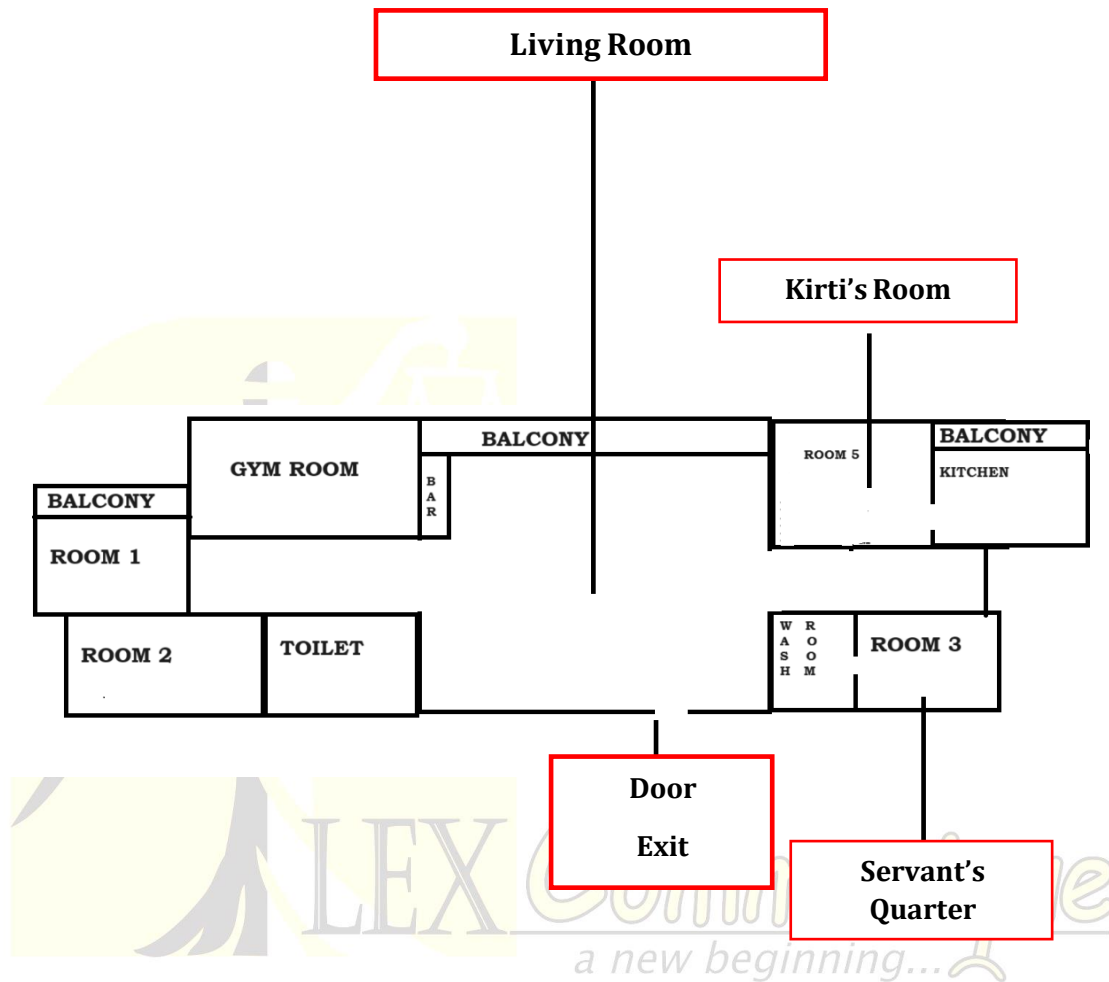
Pancha No. 2 - _____ : Sd/-

Rank: P.I.

M.I.D.C Police Station

Sd/-

SCENE OF OFFENCE – SPOT MAP



FLAT NO 101 Sagar Apartments Jadhav's Floor Map



Directorate of Forensic Science Laboratories

Home Department Government of Maharashtra



BLOOD ANALYSIS REPORT

BIOLOGIC/BLOOD ANALYSIS LABORATORY

Submitter: Natasha D'Souza

Tel: 022- 246784290

LAB.REF.NO. B 0069/2024

RECEIVED

Address: 3VG5+3F8, Kolivery Village, Vidya Nagari, Kalina, Santacruz East, Mumbai, Maharashtra 400098

Date: 7/01/2024

Time: 12:00 PM

Species: Homo Sapien

Sex: FEMALE

Case: Alleged Unnatural

Age: 17 Years old

Patient ID: Jadhav Kirti

RESULT

Result Date & Time: 6:00 PM

Complete Blood Count

Parameter	Value	Units	Reference Range
WBC Count (TC)	13000	/cu.mm	4500-11000
RBC Count	5.00	million/cu.mm	3.5- 5.5
Hemoglobin	15.3	g/dL	11.6- 15.0

Hematocrit (PCV)	50	%	35.5- 44.9
MCV	100.01	fl	80.0- 96.0

MCH	29.6	pg	27.0-31.0
Lithium	1.4	mmo/L	0.5 – 1.2
Platelet Count	860000	/cu.mm	150000-450000

Blood Alcohol Level

Test	Result	Units	Biological Reference Interval
BLOOD ALCOHOL (Enzymatic)	200	mg/dl	<30: Negative 50-200: Therapy for intoxication >200: Potentially Toxic >300: Critical

THC Level

Test	Result	Units	Normal Range
THC (Tetrahydrocannabinol)	100 ng/ml	ng/ml	<50ng/ml

Comments: Blood Alcohol and THC values greater than normal, almost invariably indicating presence of intoxicants in the bloodstream.

Date: 7/01/2024

Sd/-

Hematologist: Natasha D'Souza



Directorate of Forensic Science Laboratories

Home Department Government of Maharashtra



FINGERPRINT ANALYSIS REPORT

*Santacruz Lab Identification Number
01- 28-121*

Lead Investigator: Vishwas S. Patil,

Analyst: Forensics Officer:

Dr. Sanya Anchan

Incident no: 129395-5202

Date: 7/01/2024

Incident: A Rope recovered from the crime scene i.e., the room of the deceased (Kirti Jadhav) was sent for Fingerprint Analysis by Officer Vishwas .S. Patil on the day.

The package was sealed when received.

Items Received:

1. Rope (129395-01-I1)
2. Blades of Fan (129395-02-I2)
3. Mounting Top of Fan (129395-03-I3)
4. Fingerprint samples of Shankar Jadhav (129395-04-F1)
5. Fingerprint samples of Mohit More (129395-05-F2)

Fingerprint Examination of Rope (129395-01)

One (1) full/partial fingerprints found on the Rope

129395-04-F1 - conclusively matched to Shankar

Jadhav 129395-05-F2 - not matched to Mohit

More

Fingerprint Examination of Mounting Top of Fan (129395-03)

One (1) full/partial fingerprints found on the

Mounting Top 129395-05-F2 - conclusively matched

to Mohit

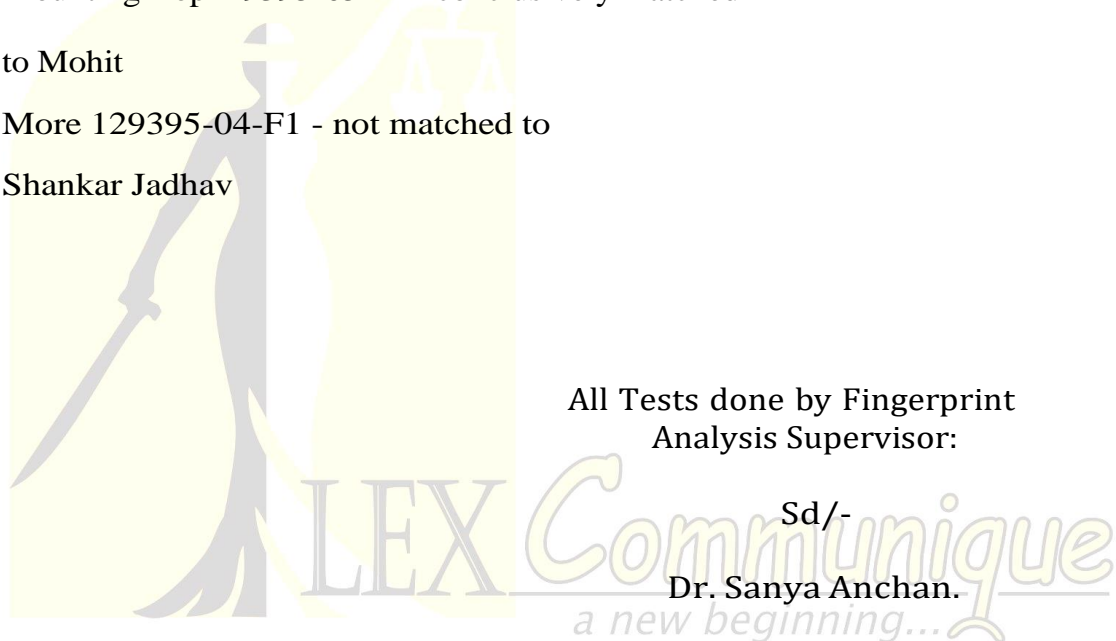
More 129395-04-F1 - not matched to

Shankar Jadhav

All Tests done by Fingerprint
Analysis Supervisor:

Sd/-

Dr. Sanya Anchan.



POST-MORTEM REPORT

Name of the Institution: MIDC Hospital

Post Mortem Report No. 143/2024 **Date:**7/1/2024 **Conducted by :** Tanvi Gangawane

Date & Time of receipt of the body:7/1/24

Date & time of commencement of Autopsy: 7/1/2024, 10:00 M

Time of Completion of Autopsy: 11:00 AM

PARTICULARS

1. (a) **Name of deceased:** Kirti Jadhav

(b) **Address:** Flat no 101 Sagar Apt. J.P. Nagar Andheri East, Mumbai.

2. **Age:** 17

Sex: Female

3. **Body brought by-** Shankar Jadhav

4. **Identified by:**

Name: Shankar Jadhav, father of the deceased

Address: Flat no 101 Sagar Apt., J. P. Nagar Andheri East, Mumbai.

5. SCHEDULE OF OBSERVATIONS

(A) GENERAL

1. **Length:** 5.5 ft

2. **Weight:** 49kgs

3. **Physique:** Medium

4. **Description of clothes worn:** Red top , black shorts

5. **Post Mortem Changes:** Post mortem staining is not visible due to burn injuries sustained.

6. **External Appearance:**

(a) **Eyes:** closed, pupil fixed and dilated

(b) **Tongue:** Protrusion present

(B) EXTERNAL INJURIES

Dead body is of a minor female about 17 years, measuring 5 feet 5 inches in length. Moderately built and moderately nourished. Eyes are closed, pupil fixed and dilated.

There were two distinct ligature marks observed around the neck area. The first set of marks formed a "V" shape near the larynx, with a fracture detected along the trachea and the hyoid bone. Additionally, a set of "O" marks was identified a little above the larynx bone area. These marks indicated signs of external pressure applied to the neck, resulting in ligature strangulation. Dried blade cut marks were present on the left wrist. These marks, while older in nature, indicated a history of self-inflicted injury or self-harm. The face exhibited signs of congestion, appearing livid, and marked with petechiae. These signs were consistent with asphyxia, suggesting that the deceased had experienced a lack of oxygen. Abrasions were present near the neck area, surrounding the ligature marks. Additionally, ecchymoses were noted around the edges of the ligature marks, indicating pressure exerted on the neck area. The base of the groove or furrow was observed to be hard, yellow, and parchment-like in texture.

(C) INTERNAL EXAMINATION

Minimal emphysematous bullae were detected on the surface of the lungs. The lungs contained black soot contents, indicating the inhalation of noxious substances. Injured cell linings of the large airways were also noted, suggesting irritation and damage to the respiratory system. Swelling and inflammation were observed in the bronchial tubes, indicative of bronchitis. Furthermore, tar was found in the lungs, suggesting exposure to harmful and toxic substances, such as smoke or other noxious fumes.

1. HEAD

- (a) Scalp: Intact
- (b) Skull: Intact
- (c) Membranes: Intact
- (d) Brain findings: Mildly edematous and congested Weight: 1300g

2. NECK

- Mouth & Pharynx - Intact
- Larynx & Vocal cords- Fractured

3. CHEST

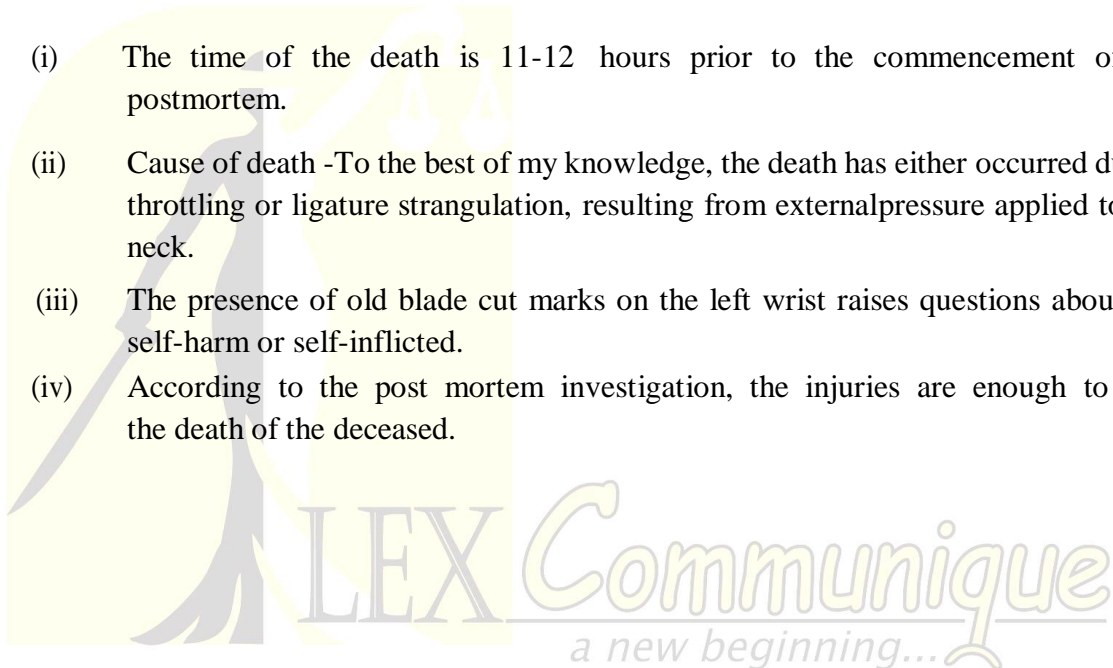
- Ribs and Chest wall- Intact
- Esophagus- intact
- Trachea & Bronchial Tree- contains black soot

4. ABDOMEN

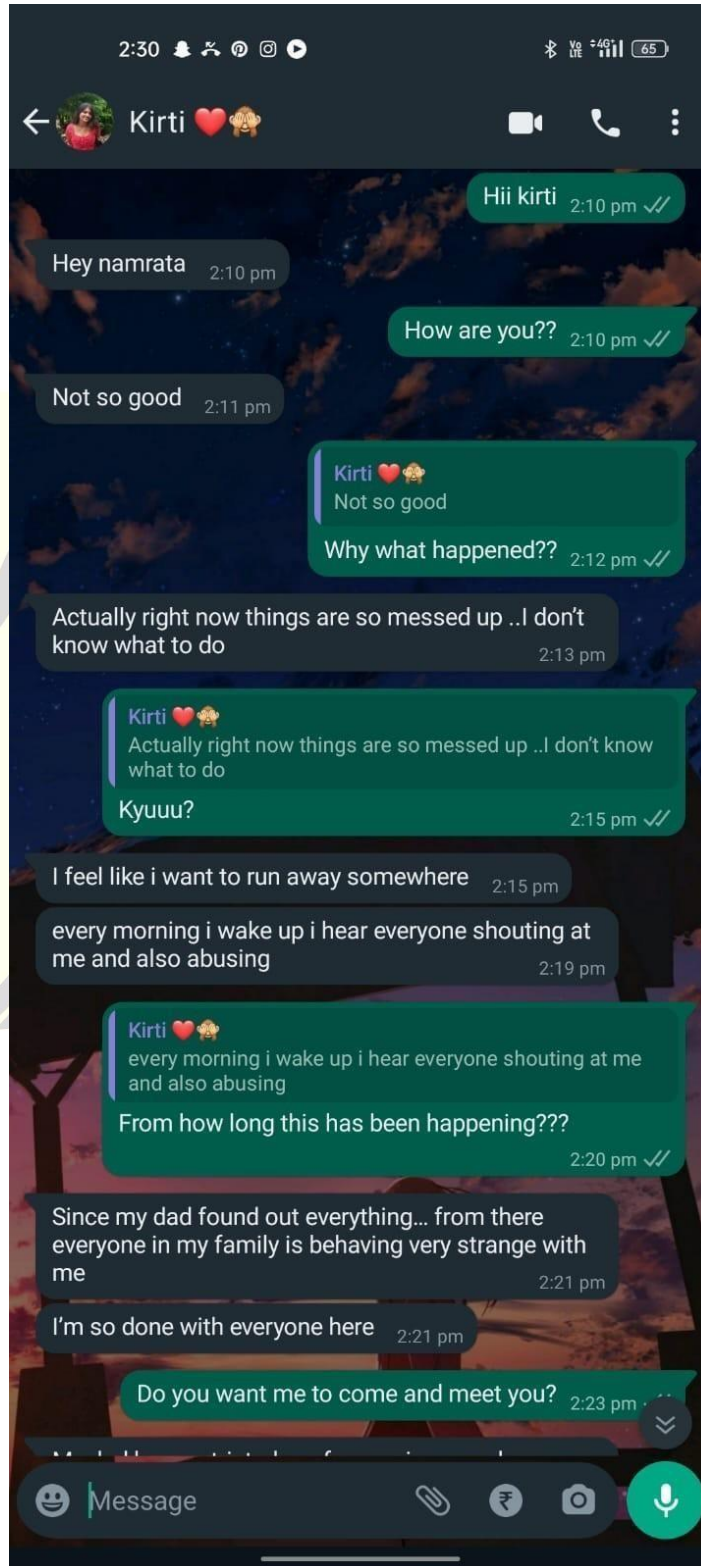
- Condition of the abdominal wall- described
- Peritoneum & Peritoneal cavity- intact
- Stomach - Contains 100ml of light brown liquid, smell- peculiar (Weight 59 gms)
- Small intestines including appendix - intact, contains gas and its content
- Large intestines & Mesenteric vessels- intact, contains gas and its content
- Liver including Gall bladder - intact (Wt. 1540gms)
- Spleen- intact and congested (Wt. 110gms)
- Pancreas- intact
- Kidney's findings & Wt. - intact and congested Rt. 123gms. & Lt. 130gms.
- Bladder & urethra- empty
- Genital organs - intact

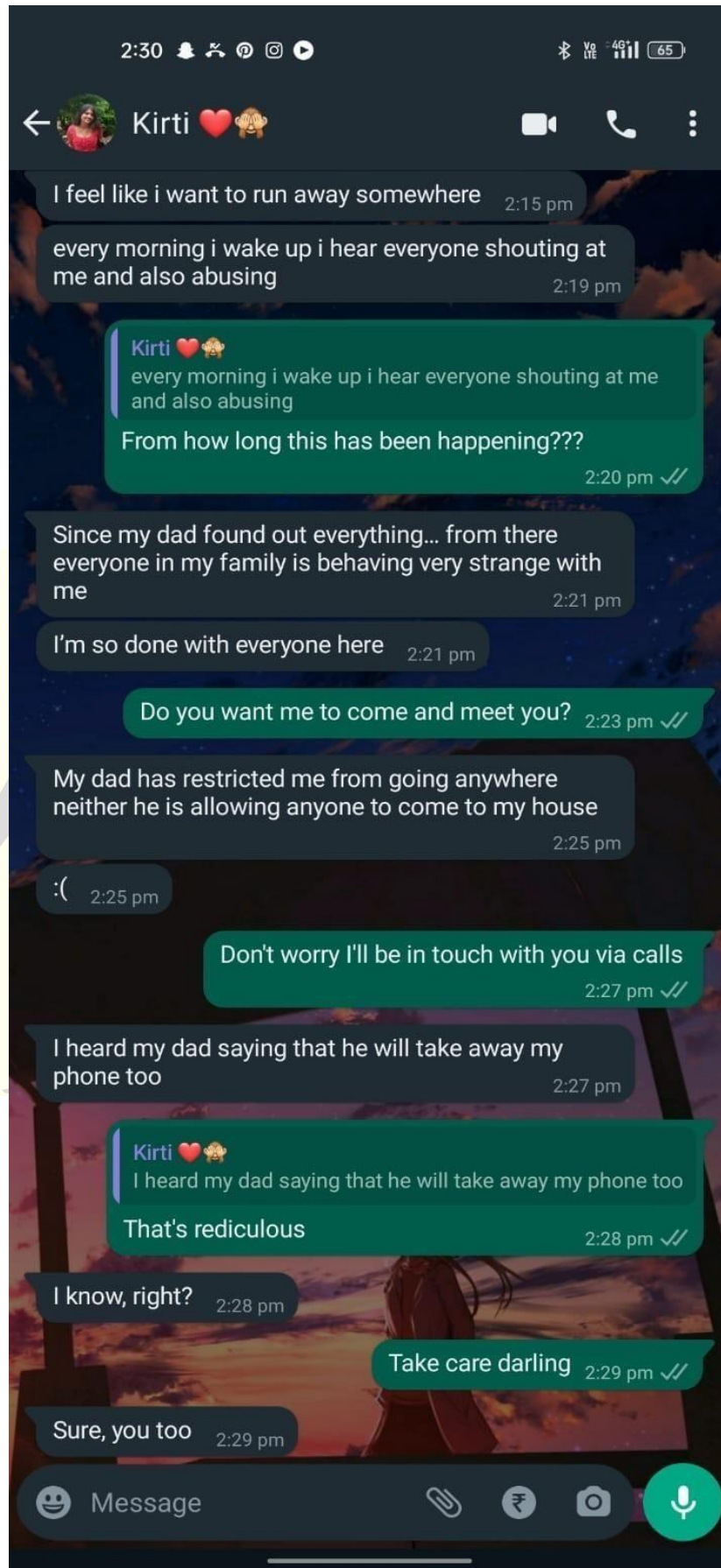
OPINION:

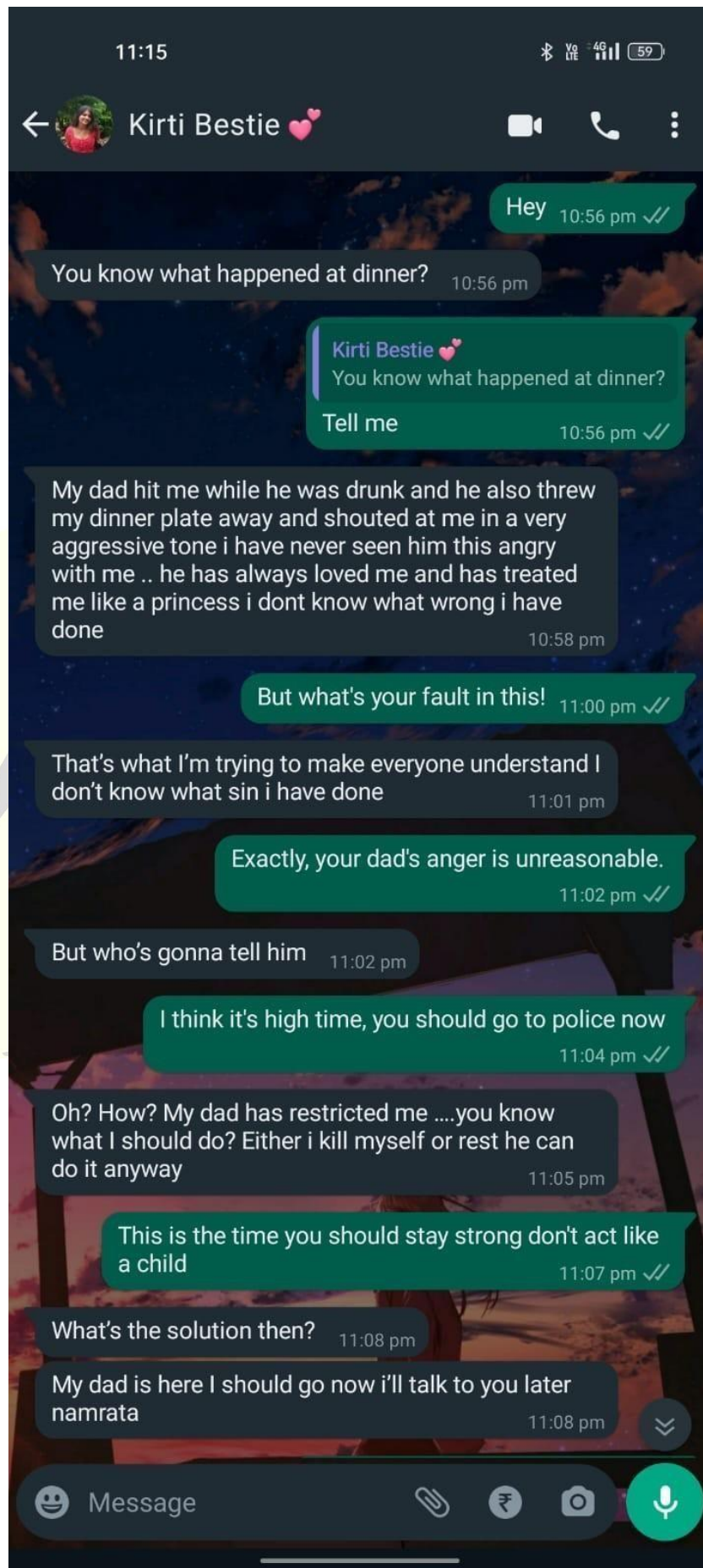
- (i) The time of the death is 11-12 hours prior to the commencement of the postmortem.
- (ii) Cause of death -To the best of my knowledge, the death has either occurred due to throttling or ligature strangulation, resulting from external pressure applied to the neck.
- (iii) The presence of old blade cut marks on the left wrist raises questions about prior self-harm or self-inflicted.
- (iv) According to the post mortem investigation, the injuries are enough to cause the death of the deceased.

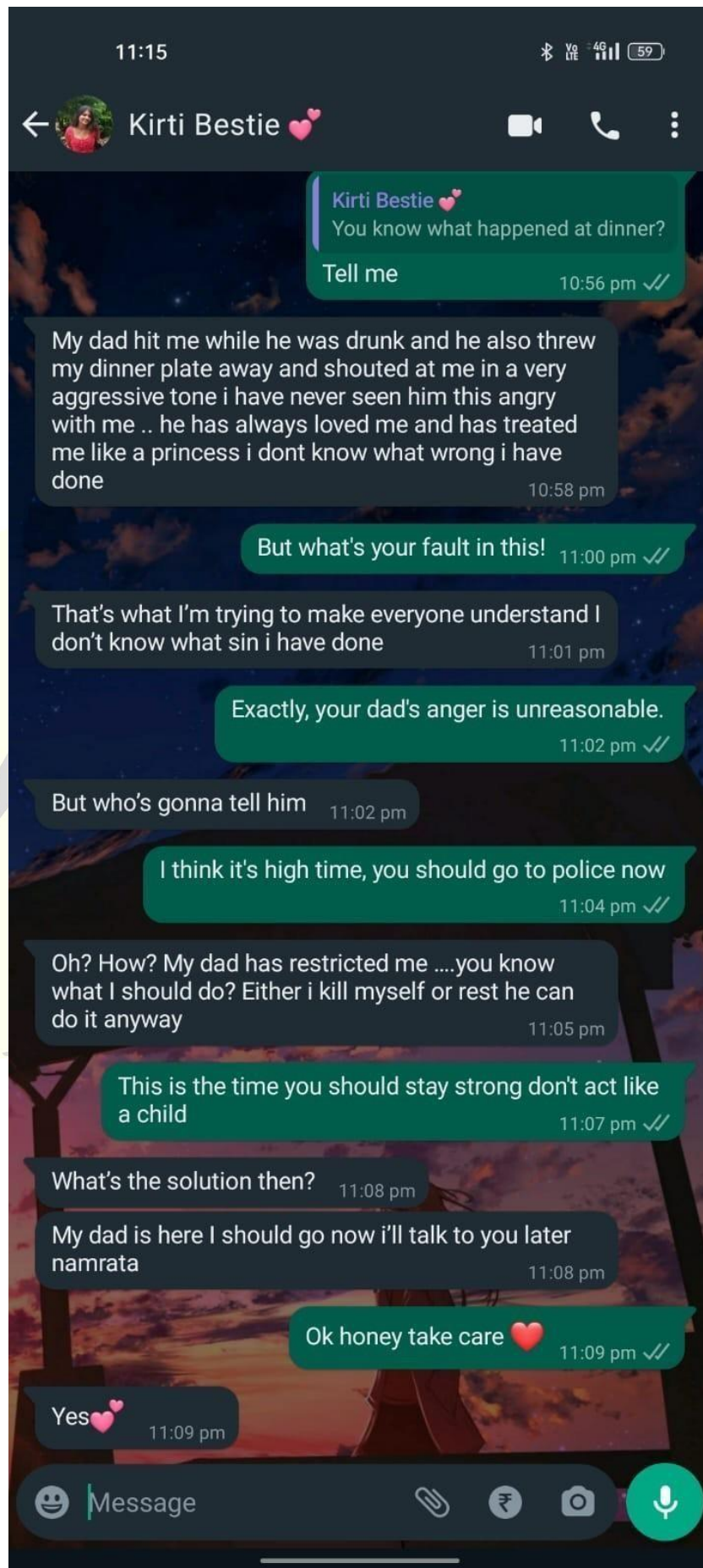


WHATSAPP CHATS









FINAL FORM / REPORT

(Under Section 173 Cr.P.C.)

IN THE COURT OF SESSIONS JUDGE

1) Details:

a) District: Mumbai

b) P.S: M.I.D.C.

c) Year: 2024

d) FIR No: 69/2024

2) Charge sheet No/ Final Report No: 105/2024

3) Date of filing Report: 15/01/2024

4) Acts: Indian Penal Code

5) Section(s): Section 302 of I.P.C.

6) If supplementary or original: Original

7) Name of the I.O: Vishwas S. Patil

Rank: P.I. No: MH09090606

8) Name of the Complainant/ Informant: Shankar Jadhav

9) Information of properties/ articles/ documents recovered/ seized during Investigation:

Sl. No	Property description	Estimated value (in Rs.)	P.S. property Register No.	From whom/where recovered or seized
1	2	3	4	5
1.	Rope used to commit suicide.	N/A	129395-01-I 1	Recovered from the deceased's room.

2.	Phone of the deceased.	1,20,000	129395-06-I 6	Recovered from the deceased's room.
3.	Blade of the fan	N/A	129395-02-I 2	Recovered from the deceased's room.
4.	Mounting top of the fan	N/A	129395-03-I 3	Recovered from the deceased's room.
5.	Packet of Marijuana	N/A	129395-04-I 4	Recovered from the deceased's room.
6.	Packet of Marijuana	N/A	129395-05-I 5	Recovered from the Servant's Quarter.

10) Details of the Accused Persons charge-sheeted:

10.1) Accused No. 1

- a) Name: Shankar Jadhav Whether verified: Yes
- b) Father's Name: Hemant Jadhav
- c) Age:51 years D.O.B: 4.02.1973
- d) Sex: Male
- e) Blood Group: O +ve
- f) Nationality: Indian
- g) Religion: Hindu
- h) Address: Flat no 101 Sagar Apt., J. P. Nagar Andheri East, Mumbai.

- i) Provisional Crime No.: 106/2024
- j) Regular Crime No.: N/A
- k) Date of Apprehension: 08/01/2024
- l) Date of Release on Bail: N/A
- m) Date of which forwarded to Court: N/A
- n) Under Act(s) and Section(s): Section 302 of Indian Penal Code.
- o) Name of Bailer and their Address/es: N/A
- p) Previous conviction with case ref.: N/A
- q) Status of the Accused: Judicial Custody

11) Brief Course of the Investigation:

On 6th of January 2024, the station received a distress call from the MIDC Hospital, reporting a death that had occurred under suspicious circumstances. Autopsy was conducted and a post mortem report was made. Noting that the results look suspicious, an FIR was registered. A spot panchnama took place and evidence was gathered through recovered properties and items seized. Compiling the evidence and hearing the statements from the complainant and the witnesses, along with the various reports, we came to the sound conclusion that the two accused in judicial custody have a hand at the suspicious death of the victim which is explained in details with the attached reports.

12) List of Prosecution Witness

- a) Investigating Officer {Vishwas S. Patil}
- b) Doctor
- c) Rarikutt Desai
- d) Namrata Sharma

Forwarded by the Station House

Officer/ Officer-in-Charge:

Rank: P.I.

Signature of the Officer-in-Charge:

Sd/-

Name of the I.O: Vishwas S. Patil

Rank: P.I.

Signature of the I.O submitting the

Final Report/ Charge-sheet:

Sd/-



RULES AND REGULATIONS

A. ADMINISTRATION AND GENERAL RULES:

The name of the Competition is the 'Lex Communique – National Appellate Moot Court Competition, 2024' (“**the Competition**”).

B. IMPLEMENTATION AND INTERPRETATION OF THE RULES:

Rules and procedures contained in the document shall apply to all participating teams. Regarding the practice and procedure of the Competition, the final interpretation in case of any conflict lies with the Moot Court Association (“**ORGANIZERS**”). The decision of the **ORGANIZERS** shall be final and binding.

C. ELIGIBILITY:

1. Students pursuing their bachelor's degree in a three-year or five-year law course in any recognized school/college/university are eligible to participate in the competition.
2. The first 30 teams will be allowed to participate first-come-first-serve basis.
3. Considering the limit in the number of teams, each University/ college is permitted to be represented by **ONE TEAM ONLY**.
4. All the participants should attach a scanned copy of Their ID cards along with an approval letter from their respective institution.

D. DATE AND VENUE:

The said competition will be held from 8th March 2024 to 10th March 2024 at Thakur Ramnarayan College of Law, Thakur Educational Campus, S.V. Road, Dahisar East, Mumbai – 400068.

E. OFFICIAL LANGUAGE:

The official language for the Competition shall be English only. Use of vernacular language by the participants during the said competition is prohibited.

F. TEAM COMPOSITION:

1. Each participating team shall consist of 4 members out of which 2 would appear as speakers and 2 would play the role of witnesses, the number cannot be modified under any circumstances.
2. Once registered, a team will not be permitted to vary the composition of the team in any manner. Changes, if any, may only be made with the express permission of the organizers.
3. No additional/ observer member shall be entitled to hospitality or certificate.

G. DRESS CODE:

For Speakers: Advocate's attire

For Witness: Black and White formals with blazer and tie.

H. REGISTRATION:

1. Each institution must, first, provisionally register itself for the Competition by sending an Official Provisional Registration mail to lexcommunique@trcl.org.in by 1st February 2024.
2. Only upon the confirmation of the provisional registration by the organizers, the team shall complete the further registration process by filling and uploading the following attached documents:

- Registration form
- Approval letter
- Scanned ID Cards
- Screenshot of the payment

Participants will receive an acknowledgement/approval as a confirmation of their registration & participation periodically after registration.

I. FEES:

The registration process has been divided into 2 slots:

- Early bird offer: 4000/- (**Registration amount**) Valid till 30th January 2024.
- Regular fee: 6000/- (**Registration amount**) Valid till 10th February 2024.
- Accommodation Charges: Rs. 2000/- per person
- The Registration fees shall be accepted through online transactions.

Bank Details for RTGS/NEFT:

Name of the Account: Lex Communique

Bank name: Indian Bank

Branch: Kandivali (EAST)

A/c. No.: 6701666981

IFSC Code: IDIB000K161

J. TEAM CODE:

Upon confirmation of the participation, teams will be allotted a unique team code which shall be used as the sole identification for all kinds of communication made to the organizers. Teams are prohibited to use the name of their institution, once the team code has been allotted. Such disclosure shall invite penalties including disqualification. The decision shall be at the discretion of the organizers.

K. ORAL ROUNDS & PROCEDURE:

The competition shall consist of the following rounds:

- A. Preliminary rounds 1 & 2 (Qualification on Merit)
- B. Quarter finals (Qualification on Merit)
- C. Semi-finals (Knock-out)
- D. Final Round (Knock-out)

Round details:

The order of the rounds will be: Preliminary rounds, Quarter final rounds, Semi-final round, and final round.

a) *PRELIMINARY ROUNDS 1 & 2 (TRIAL ROUNDS):*

- There will be two preliminary rounds per team, one round for prosecution & another round for defense. Each team will face a different bench and opponents in their second round of arguments. **The draw of lots will take place on 8th March 2024 after the inaugural ceremony.**
- Top eight teams winning both the rounds will qualify for the quarter finals. This will be purely based on **merits**.
- In case of a tie, memorial points will be considered.
- The organizers will not be providing witnesses for the preliminary and quarter-final rounds, the teams must bring 2 members (researcher) as witnesses.
- Exhibits of the case are already before the Hon'ble Court.
- Minimum of 3 and maximum of 4 witnesses need to be examined.
- For the sake of competition, the statements of Panchas are not open for Chief and cross-examination but their given statement is deemed to be on record.
- Each team will get a total of 30 minutes to present their case.
- The rounds would be divided among the following stages/sequence:

STAGE	TIME
-------	------

LEX COMMUNIQUE – NATIONAL TRIAL AND APPELLATE MOOT COURT COMPETITION, 2024

<i>Opening statement by the prosecution</i>	4 minutes
<i>Opening statement by the defense</i>	4 minutes
<i>Examination in Chief by the prosecution</i>	10 minutes
<i>Cross Examination by the defense</i>	10 minutes
<i>Examination in Chief by the defense</i>	10 minutes
<i>Cross Examination by the prosecution</i>	10 minutes
<i>Closing statement by the prosecution</i>	5 minutes
<i>Closing statement by the defense</i>	5 minutes

- The allotted time for each segment is the maximum that the respective speaker can avail of.
- Each of the speakers shall conduct either the chief or the cross-examination and deliver either the opening or closing statement. Therefore, each speaker shall compulsorily conduct an examination and deliver either the opening or closing statement.
- The order of speakers and the examination and statements they would present, is to be intimated by the teams before the commencement of the rounds and cannot be altered at any subsequent stage.
- The oral arguments need not be confined to issues presented in the memorials. However, if the team wants to introduce another issue, then it shall present not more than one.

b) QUARTER FINAL ROUND (TRIAL)

- This round will be based on merits.
- Fixtures will be decided by draw of lots after the declaration of result of preliminary rounds.
- The organizers will not be providing witnesses for the preliminary and quarter-final rounds, the teams must bring 2 members (researcher) as witnesses.
- Each team will get a total of 35 minutes to present their case.

STAGE	TIME
<i>Opening statement by the prosecution</i>	4 minutes
<i>Opening statement by the defense</i>	4 minutes
<i>Examination in Chief by the prosecution</i>	10 minutes
<i>Cross Examination by the defense</i>	10 minutes
<i>Examination in Chief by the defense</i>	10 minutes
<i>Cross Examination by the prosecution</i>	10 minutes
<i>Closing statement by the prosecution</i>	5 minutes
<i>Closing statement by the defense</i>	5 minutes

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- A minimum of 3 and maximum of 4 witnesses need to be examined.
- For the sake of competition, the statements of Panchas are not open for Chief and cross-examination but their given statement is deemed to be on record.
- The allotted time for each segment is the maximum that the respective speaker can avail of.
- Each of the speakers shall conduct either the chief or the cross-examination and deliver either the opening or closing statement. Therefore, each speaker shall compulsorily conduct an examination and deliver either the opening or closing statement.
- The oral arguments need not be confined to issues presented in the memorials. However, if the team wants to introduce another issue, then it shall present not more than one.

JUDGEMENT OF THE SESSIONS COURT

- The judgment arising out of the trial will be mailed to the participants by 5th February, 2024.
- Draw of Lots for semi-final rounds will be conducted after the result declaration of quarter-final rounds.
- Memorial exchange for Semi-final round will be conducted after the result declaration.

c) SEMIFINAL ROUND (APPELLATE)

- The top scorers of the quarter final rounds would proceed to the Semi Finals; **this will be a knockout round.**
- For the semi-final round the sides will be decided by Draw of Lots.
- Each team will get a total of **30 minutes for the oral rounds.** The time allotted above is inclusive of rebuttal time. Each speaker shall notify the division of the given minutes to the Court Room officer prior to the commencement of the round.
- The oral arguments have to be confined to the issues presented in the memorials.

d) FINAL ROUND (APPELLATE)

- Winners of the semi-final round in each courtroom will compete in the final round which will be held on 10th March 2024.
- Each team will get a total of 45 minutes to present their case. The time allotted above is inclusive of rebuttal time. Each speaker shall notify the division of the given minutes to the Court Room officer prior to the commencement of the round.
- Memorial exchange for this round will take place after the results of semi-final round are declared.
- The oral arguments **need not** be confined to the issues presented in the memorials.

L. CRITERIA FOR PRELIMINARY ROUNDS AND QUARTER-FINAL ROUNDS (FOR EACH SPEAKER) ARE:

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SR. NO.	PARAMETERS	MAXIMUM MARKS
1.	<i>Knowledge of facts</i>	10
2.	<i>Logic, reasoning, and clarity articulate and systematic analysis of the issues arising out of facts</i>	20
3.	<i>Persuasiveness & deference to court</i>	20
4.	<i>Understanding of the laws of evidence and procedure</i>	20
5.	<i>Ability to successfully conduct chief / cross examinations in allotted time</i>	10
6.	<i>Ability to elicit favorable facts from witnesses</i>	10
7.	<i>Ingenuity (ability to argue by analogy) & innovate</i>	10
TOTAL		100

M. CRITERIA FOR SEMI-FINAL AND FINAL ROUNDS (FOR EACH SPEAKER) ARE:

SR. NO.	PARAMETERS	MAXIMUM MARKS
1.	<i>Advocacy and presentation skills</i>	25
2.	<i>Knowledge and application of law and facts including use of authorities</i>	30
3.	<i>Court manners</i>	20
4.	<i>Answers to the questions from the bench</i>	20
5.	<i>Time adherence</i>	5
TOTAL		100

N. MEMORIALS

- Each team must prepare memorials for both parties to the dispute on the basis of the judgment passed by the trial court.
- Once the memorials have been submitted, no revisions, supplements, or additions will be allowed.
- The memorials have to be submitted (typed) on A 4 size paper printed on one side and must contain:
 - The table of contents
 - The index of authorities
 - The statement of jurisdiction
 - The statement of facts
 - The statement of charges
 - The summary of arguments
 - The arguments advanced (UPTO 15 pages)
 - The prayer
- The memorials must not exceed 30 pages.
- The font size should be 12, style Times New Roman and line spacing should be 1.5. Footnotes must be in font size 10; Font Style should be Times New Roman line spacing should be 1.0.
- Memorials must have a one-inch margin on all sides of each page.
- Page numbering should be on the top right side of each page.
- Covers must be placed on briefs as follows:
 - **APPELLANT: BLUE COLOUR**
 - **RESPONDENT: RED COLOUR**
- The cover page of memorials must state the following:
 - The cause title.
 - Identity of brief as Appellant or Respondent.
 - Identity of the institution as well that of the team members shall not be revealed anywhere in the memorial. Instead, team-code allotted to the teams by the host institution should be mentioned on the top right corner. Violation of this provision shall result in penalties including disqualification. The organizer's decision shall be final.
- The teams shall have an option to submit a compendium which shall carry all the Annexure and case laws that have been referred to in the memorial.
- The last date of submitting the memorials in pdf as well as word format is till **11:59 PM of 5th March 2024**.
- The memorials are to be mailed to the following email address lexcommunique@trcl.org.in with the subject line '**TEAM CODE**'-LEX COMMUNIQUE-MOOT COURT COMPETITION, 2024.
- Late submissions or time extensions will result in a penalty of deduction of 5 points per category

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(i.e., 5 for Appellant/ Petitioner and 5 for Respondent) per day till 11:59 PM of 3rd of March after which no submissions whatsoever will be entertained.

- Memorials need to be drafted for appellate rounds only and is compulsory for all the participants.

O. MEMORIAL SCORING CRITERIA (0-100 points):

SR.NO	PARAMETERS	Maximum marks
1	<i>Originality in analysis of issues</i>	20
2	<i>Logical progression of ideas and clear, precise, and unambiguous writing style</i>	20
3	<i>Proper and articulate analysis of strength and weakness of the case</i>	20
4	<i>Understanding of the legal principles directly applicable to the issues.</i>	20
5	<i>Presentation of arguments with appropriate citations</i>	10
6	<i>Variety and depth of research (new points and unique interpretation of fact/law)</i>	10
	Total	100

P. ANONYMITY AND SCOUTING:

1. Student Counsel may introduce himself/herself to the court in the usual manner and may also state their speaker code. However, the team's college name shall not be indicated to the judges at any time.
2. Further, all team members shall refrain from identifying any team's law school/college/university at any time and in any manner, including but not limited to wearing any identifying items (such as college clothing, ties, patches, or pins) or carrying identifying material (such as books with a college logo or seal, etc.).
3. The teams shall not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the teams shall result in disqualification.
4. Any team can file a written complaint with the organizers, regarding a case of scouting. The decision of the organizers shall be final.

Q. QUERIES AND CLARIFICATIONS:

All the queries and clarifications (regarding the moot proposition) must be addressed to the official mail id lexcommunique@trcl.org.in and the subject of the mail must read as “Clarification-Team Code” on or before 30th January 2024. A compiled list of queries and their clarifications will be released for all the teams by 30th January 2024.

R. CERTIFICATES:

Certificates will be awarded only to the participants present in the Valedictory Ceremony and under no circumstances will they be provided to any of the participants who are absent from the ceremony. In the event that the participants fail to collect their certificates, no mail will be sent by the organizers acknowledging their participation.

S. AWARDS:

Based on their performance during the rounds, participating students would be given the following awards:

<i>Winning Team</i>	Trophy, Certificate, and cash prize
<i>Runners-up Team</i>	Trophy, Certificate, and cash prize
<i>Best Speaker</i>	Trophy, Certificate, and cash prize
<i>Best Memorial</i>	Trophy, Certificate, and cash prize
<i>Honorable mention for Best Speaker</i>	Trophy, Certificate
<i>Honorable mention for Best Memorial</i>	Trophy, Certificate

Note:

- i. The travel form should be sent on or before 15th February 2024 lexcommunique@trcl.org.in with the subject stating your team code.
- ii. The railway stations nearest to the college premises are Dahisar, Borivali, and Mira Road.
- iii. Nearest Airport is the Chhatrapati Shivaji Maharaj International Airport, Mumbai. Kindly mention the airport (International or Domestic) while traveling to Mumbai.
- iv. The decision of the organizers for the application of the Rules and Regulations mentioned hereinabove shall be final and binding.

T. MISCELLANEOUS:

- Case laws that the teams wish to rely on at the time of final arguments shall be submitted to the judge before the rounds (Two for the judges, One for the other side).
- Opening statement of the Prosecution will require the prosecutor to address the judges on the charge it wishes the court to frame. It shall be necessary to point out the supporting material from the charge sheet herewith provided to sustain the charge. As far as the defense is concerned, the opening address shall require them to point out if there is any charge that the court ought not to frame as there is no material in the charge sheet provided herewith to support the same.

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- Judges are at liberty to ask questions to the Participants on relevant points of law which may arise from the problem or relevant provisions of the Code of Criminal Procedure or Indian Evidence Act, arising during conducting the trial, to test the Participant’s knowledge of the relevant provisions relating to penal laws.
- In the event there is any contradiction between the evidence recorded in court and the Statements recorded under section 161 of the Code of Criminal Procedure, 1973, the participants must be aware of the procedure to deal with such contradiction.
- All participating teams must be conversant with the Indian Penal Code, 1860; Criminal Procedure Code, 1973; and Indian Evidence Act, 1872 whilst taking evidence and advancing final arguments for the Prosecution and the Defense.

U. DISCLAIMER REGARDING CHANGE IN RULES:

The institution/society has full rights reserved to modify and cancel any rules as it deems fit to the situation at any time in due course of the competition and the decision of the organizers shall stand final.

Contact details:

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