



# **NATIONAL MOOT COURT COMPETITION, 2024**

**(14<sup>TH</sup> -15<sup>TH</sup> MARCH, 2024)**

*: OrganizedBy:*

**MOOT COURT SOCIETY**

**Faculty of Law, Maharshi Dayanand University**

**Message of Vice-Chancellor****Patron-in-Chief****Prof. Rajbir Singh**

Vice Chancellor MDU, Rohtak

It gives me an immense pleasure to welcome all of you to the National Moot Court Competition conducted by the Law Department of Maharshi Dayanand University, Rohtak. As the Vice Chancellor of this esteemed institution, I am delighted to see the enthusiasm and passion of the young legal minds in this event.

This competition is a wonderful opportunity for all of you to demonstrate your analytical research, and advocacy skills. Moot court competitions are an excellent platform for law students to show their legal knowledge and practical skills. It provides a great opportunity for the participants to showcase their talents and abilities before experienced legal professionals.

As the host institution, we have left no stone unturned to ensure that this competition is conducted smoothly and efficiently. The competition will be judged by eminent legal professionals, and I am sure that their valuable feedback will help to improve your skills further.

I urge all the participants to make the most of this opportunity and learn as much as you can. Remember that winning is not everything, but participating and learning are. I wish you all the very best and hope that you have an enriching and fulfilling experience at this competition.

Once again, welcome to Maharshi Dayanand University, Rohtak, and I hope you have a fantastic time here.

**Message of Dean**



**Patron**

**Prof. Kavita Dhull**

Dean, Faculty of Law, MDU Rohtak

Dear participants and esteemed guests, it is my pleasure to welcome you all to the National Moot Court Competition 2024, organized by the Faculty of Law, Maharshi Dayanand University Rohtak. This event is one of the most significant platforms for law students to showcase their skills and knowledge, and I am delighted to see so many talented individuals participating in this competition. Moot court competitions provide an opportunity for law students to develop their advocacy skills and understand the nuances of legal reasoning and argumentation. It is through such events that law students can gain practical experience in presenting legal arguments and engaging in rigorous debates with their peers. I would also like to congratulate all the participants for their dedication and commitment to the field of law. Finally, I wish everyone the very best of luck for this competition. I hope that this event will be a great learning experience for all the participants and that it will inspire them to pursue their legal careers with even greater passion and dedication.

### Message of Head



**Patron**

**Dr. Jitender Singh Dhull**

Head, Faculty of Law, MDU, Rohtak

Ensuring a proper, effective, and regulated education system is of high priority to the Dept. of Law, MDU, Rohtak. The law school strives to provide various platforms to the students by contesting a series of programs like Debate Competitions Parliamentary Debates, Legal Aid Camps, and Intra and National Moot Court Competitions which build and enhances their legal skills and help them put forward their way to the competition in the arena of law. With the unceasing efforts of our professionally dedicated faculty and motivated students. I take this opportunity with immense pleasure to announce 'The National Moot Court Competition 2024'. The closest experience that a law student can get to appearing in court is mooting. Mooting is a better way to learn the law than to read, interpret, comprehend, and understand research, frame arguments, and write. I wish the participants all luck in the competition and a wonderful opportunity to learn and grow. We have gone through with fine-tooth comb in ensuring that this Competition is organized academically and administratively in the best possible manner. This is a National Competition and it welcomes law students from across India to participate and exhibit their advocacy skills.

"I wish the event a great success and may the Best Team win."

### Message of Convenor



**Dr. Anusuya Yadav**

Convenor, National Moot Court Competition

I am delighted to welcome you all to the National Moot Court Competition conducted by the Moot Court Society, Faculty of Law, Maharshi Dayanand University Rohtak. It gives me immense pleasure to extend my heartfelt gratitude to all the participants, faculty members, and esteemed judges who have made this event possible.

The Moot Court Society at our University has been dedicated to fostering a spirit of advocacy and legal reasoning among law students, and this competition is a testament to our commitment to this cause. We are thrilled to witness the participation of such talented and enthusiastic law students from across the country.

The competition aims to provide a platform for participants to showcase their legal skills, critical thinking abilities, and advocacy skills in a simulated courtroom environment. It also offers a unique opportunity for students to interact with legal professionals and experts, which is an invaluable experience for their professional development.

I would like to congratulate all the participants for making it to the competition and wish them the best of luck. I hope that this event will be a memorable experience for all of you, and I look forward to witnessing some brilliant performances.

**RULES FOR THE  
NATIONAL MOOT COURT COMPETITION, 2024**

**A. ABOUT THE COMPETITION**

1. Our department has been instrumental in producing some of the best legal minds in the country and continues to march forward in bringing the legal pioneers of the coming times.
2. In pursuance of these continuous efforts, the Moot Court Society, Faculty of Law, Maharshi Dayanand University is going to organize a two-days National Moot Court Competition, 2024 for the students of the 3 Years/ 5 Years Law Course of the Department to enhance their mooting skills.

**B. AIM AND PURPOSE**

1. To give exposure to students pursuing the law course to the environment of the court system in India and to hone their advocacy skills.
2. To provide a real-life experience cum training in doing cutting-edge research, presenting groundbreaking arguments, and contributing to the development of jurisprudence in concerned areas of law

**C. VENUE**

The Competition shall be held on **14<sup>th</sup> MARCH- 15<sup>th</sup> MARCH, 2024** at the Faculty of Law, Maharshi Dayanand University.

**D. LANGUAGE**

The language of the competition shall be English.

**E. ELIGIBILITY**

1. Any student of the Department from **THREE YEARS/ FIVE YEARS OF UNDERGRADUATE LAW COURSE** shall be eligible to participate in the Competition.
2. The students of LL.M./Ph.D. shall not be eligible to participate in the Competition.

3. Each Law College/ University shall be eligible to send a **MAXIMUM OF ONE** team. The team should not disclose the identity of their institution in course of proceedings in the courtrooms; such disclosure shall invite penalties including disqualification. Host institute can have any number of teams.

## F. IMPORTANT DATES

1. The important dates for the competition are as follows:

List of Events	Important Dates
Registration Begins Note:- For registration, an email stating the institution's name, email ID, and concerned person's phone number shall be sent to <a href="mailto:Nationalmootcourt2024@gmail.com">Nationalmootcourt2024@gmail.com</a>	21 <sup>st</sup> February, 2024
Registration Ends	5 <sup>th</sup> March, 2024
Submission of Soft Copies of Memorials	10 <sup>th</sup> March, 2024
Submission of Hard Copies of Memorials	14 <sup>th</sup> March, 2024
Competition Day 1 <ul style="list-style-type: none"> <li>Researcher's Test/ Draw of Lots/ Memorial Exchange/ Prelim Round / Quarter- Finals</li> </ul>	14 <sup>th</sup> March, 2024
Competition Day 2 <ul style="list-style-type: none"> <li>Semi-Finals</li> </ul>	15 <sup>th</sup> March, 2024
Competition Day2 <ul style="list-style-type: none"> <li>Finals/ Valedictory/ Certificate Distribution</li> </ul>	15 <sup>th</sup> March, 2024

2. The deadlines should be strictly adhered to by the participants and shall not be extended in any case, subject to otherwise ordered by the Convenor.

#### **G. TEAM COMPOSITION AND ROLE**

1. The teams must consist of 3 members. The team composition will be of 2 (two) members who shall be designated as Speakers and 1 (one) member who shall be Researcher.
2. The teams must provide the details and roles of the members of the team during the time of registration. Once the registration is done, the team members would not be allowed to change their roles.
3. Each team shall be provided with the team code on registration.

#### **H. DRESS CODE**

The participants shall be in Formals inside the Court Room.

##### **For Female(s):**

White Salwar and Kurta along with Black Blazer and Black Shoes OR White Shirt and Black Trouser along with Black Tie, Black Blazer and Black Shoes.

##### **For Male(s):**

White Shirt and Black Trouser along with Black Tie, Black Blazer and Black Shoes.

#### **I. REGISTRATION**

1. Registration for the Competition can be done by the eligible participants latest by 5<sup>th</sup> March, 2024 by filling in their details on the Google Form.
2. A **REGISTRATION FEE OF RS.1500/-**(Each Team) is to be payable along with the registration form. The Google form Link and Steps for payment detail as:-

<https://forms.gle/habLNV7hAzyDfYHJA>

##### **Steps for Payment Details:**

1. visit [www.mdu.ac.in](http://www.mdu.ac.in)
2. Click on **Pay fee Online** at the top right corner.
3. Select Category **“National Moot Court 2024”** and pay.

3. The teams of Faculty of Law and MDU-CPAS Gurugram are exempted from the Registration fee.
4. The teams will be allotted Provisional Team Codes after their registration and the teams will be identified throughout the Competition through these Team Codes. The participants will not be allowed to use their names or reveal their identities in any manner.
5. The Final Team Codes shall be allotted once the teams submit the hard copy of their Memorials to the Moot Court Society.

## **J. MEMORIAL**

1. Each team must prepare memorials for both sides.
2. Once the memorials have been submitted, no revision, supplements or additions will be allowed.
3. One advance soft copy in PDF format must reach the organizers latest by 8<sup>th</sup> March, 2024 on **Nationalmootcourt2024@gmail.com**.
4. Identity of the Institution should not be revealed anywhere in the memorial. Violation of this provision will result in penalty including disqualification. The Organizer's decision shall be final in this regard.
5. No Difference between Soft Copy and Hard Copy of Written Submission: The hard copy of written submission must be exact replica of the soft copy submitted with the Organizers.
6. Any difference in the same will result in non-evaluation of the memorial / disqualification from the Competition.
7. The memorial must include the following
  - (I) The Cover Page: The cover page shall contain the case title, side of the written submission, year of competition, and team Code on top right corner;
  - (II) Table of Contents
  - (III) List of Abbreviations
  - (IV) Index of Authorities
  - (V) Statement of Jurisdiction
  - (VI) Statement of Facts
  - (VII) Statement of Issues

(VIII) Summary of Arguments

(IX) Arguments advanced/detailed arguments.

(X) Prayer

(XI) Compendium, if any

(XII) Exhibits (Optional)

8. The memorial shall not be more than forty (40) pages and the Arguments shall not exceed more than twenty-five (25) pages.
9. The Memorial for the Petitioner shall have Blue Cover and the Memorial for the Respondent shall have a Red Cover page.
10. The Team Code allotted to the teams shall be written on the top right corner of the First Page of the Memorial.
11. The font of Pleadings is as follows: -
  1. Font - Times New Roman
  2. Font Size - 12
  3. Spacing - 1.5
12. The font guidelines for Footnotes are as follows: -
  1. Font - Times New Roman
  2. Font Size – 10
  3. Spacing - 1.0Uniform font size should be used throughout the memorial, though the first page & headings could be according to ease.
13. The memorial must have a margin measuring one inch on all sides of each page.
14. The Memorial must be spiral-bound ONLY.
15. The page numbering should be on the top right/ bottom right side of each page.
16. Memorial must not contain any Annexures/Photographs/Sketches/Exhibits/Affidavits etc.
17. The teams have to prepare and share the Compendium of judgements, authorities, and citations they wish to rely upon during the course of arguments. Speakers shall not be allowed to pass annexures to the judges; instead, the teams may make a compendium of annexures that shall be given to the judges before the start of proceedings. Bring their own copies of compendium.

18. The memorials shall be evaluated on the basis of the above-stipulated rules by an independent panel of judges and the average of the score given by all the judges would decide the Best Memorial.
19. Non-compliance with the above-stipulated rules would be penalized accordingly by the panel of judges.
- 20. The teams shall also deposit 3 (three) hard copies of the Memorials from both sides to Moot Court Society, Department of Law on 14<sup>th</sup> March, 2024.**
21. The hard copy duly attested (by the authority of participating institution) & and fees receipt should be submitted to the Host College on or before DATE.
22. No change in the names of the participants shall be permitted after the receipt of the Registration Form, except at the sole discretion of the Organizers.
23. Teams should clearly mention the participant's names, and contact no. including year/semester of study in the form.
24. The memo shall be evaluated on the following criteria(s):

CRITERIA	MARKS
Application and Appreciation of Facts	20
Identification and Structure of Issues	15
Application of Law and Legal Principles	25
Use of Relevant Precedents and Logical Reasoning	20
Use of Persuasive Language	10
Formatting and Footnotes	10
<b>TOTAL</b>	<b>100</b>

#### **K. RESEARCHER'S TEST**

1. There shall be a researcher's test for the designated researcher of each team. Only the designated researcher would be allowed to participate in the said test.
2. The test shall be based on objective-type questions based on the facts of the moot problem, the law governing the facts of the case, and general questions on the

legal principles involved. The result of this test shall determine the best researcher's prize.

#### **L. INAUGURATION AND DRAWING OF LOTS**

1. The inauguration ceremony of the Competition would be held on 14<sup>th</sup> March, 2024 followed by a Draw of Lots, Memorial Exchange, and Researcher's Test.
2. The team fixtures would be decided on a random basis through the Draw of Lots and according to the Team Fixtures, the teams shall proceed to argue in the Preliminary Round.
3. The memorials of the other competitor team shall be exchanged after the Draw of Lots but the same will have to be returned after the Rounds are over.

#### **M. ORAL ROUNDS**

##### **General Procedure:**

1. The Researcher needs to be present with the speakers during all the rounds.
2. The Researcher shall not be permitted to address the Court during the Oral Rounds. The Researcher may however, be permitted to pass notes to the Speakers at the discretion of the Judges. Such notes shall be passed through the court masters present in the court room.
3. The use of mobile phones, laptops, or any other electronic gadget is strictly prohibited during the Oral Rounds, subject to the discretion of the judges.
4. Participants may use their own bare acts, print outs, and commentaries provided that anonymity is not violated during the Rounds.
5. The decision of the Judges as to the marks allotted to each team shall be final and binding.
6. The Competition shall consist of the following rounds:
  - (I) Preliminary Round;
  - (II) Quarter-finals;
  - (III) Semi-finals;
  - (IV) Final.

**Preliminary Round(s):**

1. Registration, Orientation and Draw of Lots will be held on 14<sup>th</sup> March, 2024 and the teams are requested that in all probability to kindly report latest by 8:00 am at the Venue. Moot Court Society (MCS) retains the right to choose if the team is not present during registration.
2. Preliminary rounds will be held on 14<sup>th</sup> March, 2024.
3. Every team shall argue once in the Preliminary Rounds, either for the Appellant/ Petitioner or Respondent/Defense as per Draw of Lots.
4. Researcher, Speaker 1 and Speaker 2 to remain the same throughout the competition.
5. Top eight teams shall qualify to the quarter-final rounds. The qualification to the Quarter finals will be based on:
  - a. On the basis of Total Score in the preliminary rounds.
    - i. The top eight teams with higher score in preliminary rounds will qualify for the quarter-final rounds.
    - ii. The score of a team shall be computed as the total of - Oral Score of Speaker 1; and Oral Score of Speaker 2 in Preliminary Rounds.
  - b. In case of a tie in score, will be decided by toss of coin.
6. The Best Speaker Award will be awarded on the basis of the scores awarded to the individual Speakers in the Preliminary Round.
7. Teams will be provided with their opponent team's memorials after the conclusion of draw of lots.
8. Return of the other side's memorial immediately after the preliminary round to the Court-clerks is compulsory.

**Quarter Final Round:**

1. Quarter Final Round shall take place on 14<sup>th</sup> March, 2024
2. The teams will be provided their opponent's memorial after the declaration of preliminary results and the draw of lots for the Quarter Final Round.
3. Quarter Final Round shall be knockout round.

4. The Winners of the Quarter-final shall advance to the Semi-finals.

**Semi Final Round:**

1. The Semi Final Round shall be held on 15<sup>th</sup> March, 2024.
2. Semi Final Round shall be knockout round.

**Final Round:**

1. The Final Round shall be held on 15<sup>th</sup> March, 2024.
2. Final Round shall be knockout round.

**Time Scheme for Oral Rounds:**

At the commencement of each session the team shall notify the Court Clerk as to the division of time between the 2 speakers (including rebuttal/sur-rebuttal) 10 minutes prior to the commencement of the Rounds.

**Preliminary Rounds and Quarter final Rounds**

- Each side shall get a maximum time of 30 minutes to present their arguments of which no Speaker shall be permitted to address the Court for more than 18 minutes.
- There will be no Rebuttal or Sur-rebuttal in the Preliminary and Quarter-Final Round.
- Each speaker is required to speak for a minimum of 12 minutes.

**Semifinal Rounds**

- Each side shall get a maximum time of 45 minutes to present their arguments of which no Speaker shall be permitted to address the Court for more than 25 minutes.
- The time limit is inclusive of the time for Rebuttal or Sur-rebuttal respectively.
- The maximum time for Rebuttal is 5 minutes and the maximum time for Sur-rebuttal is 2 minutes.
- Each speaker is required to speak for a minimum of 20 minutes exclusive of time taken for Rebuttals and Sur-rebuttals

**Final Round**

- The maximum time for arguments per side shall be the same as in the Semi-finals.
- The Winner of the Final Round shall be declared the Winner of the Competition.

#### **N. AWARDS AND PRIZES**

1. The awards and prizes for the Competition shall be as follows:

<b>Winner Team</b>	Rs.15,000/- + Certificate of Merit
<b>Runner-Up Team</b>	Rs.11,000/- + Certificate of Merit
<b>Best Speaker</b>	Rs. 6,000/- + Certificate of Merit
<b>Best Researcher</b>	Rs.6,000/- + Certificate of Merit
<b>Best Memorial</b>	Rs.6,000/- + Certificate of Merit

2. Certificate of Participation shall be given to all the participants who submit the Memorials for the Competition.
3. All the volunteers, stage operators, court masters, etc. shall also be given a Certificate of Appreciation for their contribution.

#### **O. ACCOMODATION:**

The participants would be provided accommodation at the premises of the Institute/any other suitable premises during the competition. Please note that separate accommodation will be provided for girls and boys. The accommodation would be provided if informed, at the time of the registration.

#### **P. SCOUTING**

1. Teams will not be allowed to observe/sit the oral round of any other team till the time the team is declared to have advanced to the next round. Scouting is strictly prohibited. Scouting by any of the teams will result in disqualification.

2. Any team can file a written complaint with the Organizers, regarding a case of scouting. The decision of the Organizers will be final.
3. The researchers shall sit with the speakers at the time of the oral round and shall not attend the court sessions of any other team participating in the competition.

**Q. DISPUTE RESOLUTION**

1. The organizers reserve the right to decide any dispute arising out of the proceedings of the Competition.
2. The organizers reserve the right to change/ modify the rules of the Competition if there is any such need.
3. The decision of the organizers shall be final and binding upon all the participants.

**R. CLARIFICATION/ CONTACT PERSON**

1. For any clarification regarding the competition/ Moot Problem/ Rules/ etc., please feel free to drop an email to [Nationalmootcourt2024@gmail.com](mailto:Nationalmootcourt2024@gmail.com) which shall be replied to at the earliest by the competent authority.
2. Communication done by any other means shall not be treated as official communication.
3. **Details of the Director Moot Court Society:-**

Dr. Anusuya Yadav, Associate Professor, Department of Law  
Mob.No. :- (+91-9466954919)

**4. Advisory Committee:-**

- i. Prof. (Dr.) Kavita Dhull, Dean, Faculty of Law, MDU
- ii. Dr. Sonu
- iii. Dr. Satyapal Singh
- iv. Dr. Jaswant Saini
- v. Dr. Yogender Singh
- vi. Dr. Neelam Kadyan
- vii. Dr. Pratima Devi Ranga
- viii. Dr. Surender Dahiya

**5. Organising Committee:-**

- i. Dr. Anusuya Yadav - Convener
- ii. Dr. Jaswant Saini- Co Convener

- iii. Dr. Yogender Singh – Member
- iv. Dr. Surrender Dahiya- Member

**6. Registration Committee:-**

- i. Dr. Anjali (+91-9896494396)
- ii. Dr. Rahul Yadav (+91-8607242393)

**7. Student Organising Committee:-**

**Mr. Mangal Singh (+91-9992375618)**

**Ms. Kirty Dubey (+91-7015463155)**

**Ms. Sheetal (+91- 9068670829)**

**Ms. Aayushi (+91-8221986871)**

**Mr. Sumit (+91- 7988847480)**

**Mr. Dharmesh (+91-9896760159)**

**Ms. Khalida Usman (+91-9896711069)**

**Ms. Mahima (+91-7027400616)**

**S. MISCELLANEOUS:**

1. No team or any of its members or anyone connected with any team will be permitted to sit or hear the arguments in any courtroom in which that team is not one of the contesting teams while that team is competing in the competition. For the violation of this rule, strict action may be taken against the team, even ranging to the disqualification of team from the competition.
2. If there is any dispute concerning the interpretations of the rules or concerning any matter related to the competition which is not contemplated if the rules, the decision of the Organizers shall be binding and final.
3. **The teams are required to reach the venue by 8:00 A.M. 14<sup>th</sup> March, 2024 for the registrations, Draw of lots, and memorial exchange.**
4. **Moot Proposition is attached at the end of the Brochure.**

**-XXX-**

## MOOT PROPOSITION

1. Anjali Bhatia, a 26-year-old from Lucknow, Uttar Pradesh, moved to Bombay after completing her Bachelor of Arts degree, aiming to fulfill her acting aspirations. In the new city, she found herself without friends or family financial support, as her family strongly disapproved her decision to shift to Bombay. Despite auditioning for numerous projects, she faced rejection every time. These setbacks led her to attempt suicide twice, though both attempts were unsuccessful.
2. In September 2021, Anjali chose to attend a party frequented by Bollywood celebrities and key industry figures, hoping to network with some directors. It was there that she encountered Ramesh Kapoor, a distinguished film director with a portfolio of blockbuster films at the age of 46, often hailed as a 'savior' for aspiring young actresses. Anjali and Ramesh struck up a conversation at the bar and subsequently exchanged contact information. Over the following months, their frequent interactions led to Anjali declaring her love for Ramesh, and she moved into his residence. Ramesh, who had experienced three unsuccessful marriages, was now in a relationship with Anjali.
3. The media and paparazzi quickly caught wind of Anjali and Ramesh's relationship, dubbing them 'the newest couple in Tinsel Town' and sparking a media frenzy. Rumors and blind items began to spread on social media, accusing Anjali of being a gold digger and alleging she was using Ramesh for her own benefit to break into the film industry. The relentless media attention and online trolling left Anjali feeling exposed and vulnerable. Her parents and friends too boycotted her, citing embarrassment over her actions. The mounting pressure and public scrutiny led Anjali to urgently request Ramesh to cast her in a film, hoping to prove her talent. However, Ramesh grew increasingly frustrated with Anjali's persistent appeals and the negative attention surrounding them, which compelled him to postpone his much-anticipated dream project. The situation escalated, resulting in frequent arguments between the couple.
4. Three months into their tumultuous relationship, Ramesh Kapoor told Anjali to leave his residence, asserting that many women approached him daily and he could easily replace her. Anjali pleaded for him not to evict her, promising to cease her requests for a role in his films. She expressed her desire to seek psychiatric help, citing her deteriorating mental health. However, Ramesh quickly dismissed the idea, fearing that if the media learned of her visits to a psychiatrist, it would tarnish her image and end her career by labeling her as unstable. He suggested she stay home and practice meditation instead. As their relationship continued to degrade, Anjali became increasingly isolated, rarely leaving the house, while Ramesh maintained his social life, frequently seen with young women at various events. In November 2022, a photo of Ramesh with a young, up-and-coming actress vacationing in the Maldives spread across social media, sparking rumors of his split from Anjali. A week after the photo went viral, Ramesh issued a statement claiming that everything was fine between him and Anjali, asserting that they were united

in heart and soul, despite the evident strains in their relationship and the circulating rumors.

5. On 5th February 2023, at around 2 am, a call was received at Bandra Police station stating that a woman with 80% burn injuries was brought to their hospital. The police rushed to the hospital where the victim was identified as Anjali. Post regaining consciousness after four days, she stated to the Police. According to her, on that fateful night, Ramesh returned home from a party, visibly inebriated. Upon unlocking the door, he saw Anjali standing near the stove, holding a can of a blue-coloured liquid. He immediately realized that the liquid was kerosene and he rushed towards her, fuming with rage. He called her crazy and said that she had ruined all the fun in his life. He attempted to kill her by pouring kerosene on her exclaiming that if she was so firm on ending her life, he would make things easier for her. Immediately after Ramesh threw kerosene on her, she was soon engulfed in flames as her dress caught fire from the stove right behind her. Tragically, three days after giving her statement, Anjali succumbed to her injuries and passed away.
6. She said that over the past year, he denied her psychiatric help and mentally manipulated her while cheating on her with several other girls. Anjali went on to state that the both of them had gotten married at a small temple near Mumbai in October 2022 and Ramesh had also gifted her a flat in Bandra as her 'wedding gift'. However, Ramesh was adamant that they do not reveal the factum of their marriage to anyone as it would affect their careers. It was only last month when she found out that Ramesh's divorce proceedings with his previous wife were still pending before the court. Based on her statement, the Police filed charges under Section 302 and Section 498A of the Indian Penal Code, 1860 against Ramesh.
7. During the course of the trial at Sessions Court, Mumbai, Ramesh denied all charges of cruelty and claimed that he could not be held liable under Section 498A as he was not the victim's 'husband' as contemplated under the section. He stated that there was no valid marriage between him and Anjali. The fact that his previous divorce proceedings were sub judice was never hidden and was reported in several newspapers as well. His act of merely putting sindoor and mangalsutra on Anjali at the temple, upon her persistence, could not be construed as 'marriage' as it was only done for Anjali's happiness. For the charge of murder, Ramesh claimed that when he entered the room on that fateful night and Anjali started abusing him and threatening him to end her life and started throwing utensils on him, he was in a state of rage. He admitted that in a fit of uncontrollable rage, he did pour the kerosene on her but never intended to kill her. He was unaware that the stove behind was lit which led to Anjali's clothes accidentally catching fire and before he could react, she was completely engulfed in flames.
8. The Sessions Court rejected Ramesh's plea that the incident was a mere unfortunate accident and convicted him under Section 302 of the IPC for murdering Anjali. The court also held that a person who enters into a relationship in the nature of marriage cannot be

allowed to take the plea that he cannot be held liable under Section 498A as there was no valid marriage; thereby convicting him under Section 498A for subjecting her to cruelty over the course of their relationship. He was sentenced to 10 years rigorous imprisonment. Aggrieved by the conviction, Ramesh appealed against the order of the Sessions Court before the Hon'ble High Court of Bombay. Later on, The Hon'ble High Court upheld the conviction on the findings recorded by the Session Court. Now the case is before the Hon'ble Supreme Court of India. This appeal has two substantial issues:

- a) Whether Ramesh can be held liable under Section 498 A of the IPC?
- b) Whether Ramesh can be held liable under Section 302 of the IPC?

