

MOOT PROPOSITION

1. Mr. Steve Rogers, aged around 28 years and Ms. Katherine Wallace, aged around 27 years are residents of Indraprastha, capital city of Hindia. Mr. Steve Rogers is a graduate in marketing was working as a customer care executive at Haslab Solutions Pvt. Ltd. while Ms. Katherine Wallace, also a marketing graduate, was working at Ominus Support Pvt. Ltd. On 02.01.2021, they met each other at a common friend's party. At this time, both of them were residing in Indraprastha, away from their families for their respective jobs. They liked talking to each other and continued to meet each other after that party.
2. Soon they decided to enter into a relationship. With the passage of time, they decided to enter into a live-in relationship and rented a new flat in Indraprastha. Ms. Katherine Wallace did all this by going against her parents wish. They were happily living as a couple with full emotional investment into this relationship.
3. On 23.06.2021, Mr. Steve Rogers, unfortunately was laid off from his office. For around 3 months, he kept looking for other opportunities. Unable to find a job, he took up food and travel vlogging as his profession. He exhausted all his savings to purchase expensive vlogging gears and incidental expenses.
4. However, contrary to his initial expectations, his YTube channel did not attract much subscribers and consequently his channel was not monetized. However, he continued doing it and started making all the payments through Ms. Katherine Wallace 's credit card. She never objected to it because she saw Mr. Steve making endless efforts to grow his channel. She supported him every time.
5. Even after six months, the channel's statistics were stagnant. At this time, Ms. Katherine Wallace advised Mr. Steve to start afresh by looking for new opportunities but listening to this, Mr. Steve lost his cool on Ms. Katherine Wallace though she pacified the situation somehow. However, Mr. Steve continued to make payments through Ms. Katherine Wallace 's cards.
6. On 08.02.2022, she confronted Mr. Steve that he has become a

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liability on her as he had failed to contribute in house rent and other expenses for more than last six months.

7. This was the first time when Mr. Steve hit her badly and she sustained some grave injuries. Thereafter, Mr. Steve and Ms. Katherine Wallace used to have repeated scuffles and everytime the former used to hit the latter. This happened various times. Tired of these altercations, Mr. Steve decided to end this relationship but Ms. Katherine Wallace stopped him from doing so. However, their fights never stopped and Ms. Katherine Wallace one day shared her pain with a friend, named Mr. Del Monte. He advised her to leave Mr. Steve but Ms. Katherine Wallace was excessively devoted to him and could not collect the courage to end her relationship with Mr. Steve.
8. After two months of this incident, there was a heated argument over Mr. Steve almost bringing Ms. Katherine Wallace 's account to minimum balance limit. Disappointed and frustrated, Ms. Katherine Wallace decided to leave Mr. Steve citing that Mr. Steve has made this relationship more of a liability and she does not want to stay in a toxic relationship with him. Mr. Steve took this against his ego as he felt that he had lost the upper hand in the relationship. He hit Ms. Katherine Wallace with a fry pan on her head and choked her neck. She fell down unconscious.
9. Unable to judge the situation, Mr. Steve immediately booked tickets for Ziffy (a small town near Indraprastha) from Ms. Katherine Wallace's card and went underground for some time. After around 4-5 hours, Ms. Katherine Wallace regained consciousness and not aware of the fact that Mr. Steve had left for Ziffy, she locked herself inside an almirah (having electronic automatic lock once the almirah is closed) to save her life and hide from Mr. Steve.
10. Unfortunately, she was never able to escape out of that almirah as the almirah could not be opened from the inside. After around a month, Mr. Steve came back to Indraprastha to check whether Ms. Katherine Wallace was alive or not. He entered the house and unable to find Ms. Katherine Wallace , he checked everything in the house and upon

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checking this almirah, he found out the dead body of Ms. Katherine Wallace .

11. He panicked and started thinking about the ways of disposing off the body. After thinking of various ways, he decided to dismember Ms. Katherine Wallace 's body in small pieces to make it easily disposable without being caught.
12. He rented a commercial refrigerator to store the pieces, bought huge quantity of incense sticks, chemicals to clean the blood stains on the floor and a Japanese knife. He continued cutting the body for around fourteen days. He used to leave the house at around 3 AM on a daily basis to dispose off the pieces in a nearby forest of Beverley Hills.
13. After disposing off all the pieces, Mr. Steve washed everything in the house and left the house with all his luggage. All this while, he used to impersonate Ms. Katherine Wallace on social media platforms and used to talk to her friends through her Whatsapp and Instagram account to create a false impression that Ms. Katherine Wallace is alive and living happily with him.
14. On 23.10.2022, Ms. Katherine Wallace 's employer tried to know about her whereabouts and he sent two of company's employees to her registered address. They found the house locked. Upon asking the neighbours, they got to know that the house was locked for more than two months. The company lodged a complaint with the police.
15. Police tried to track Ms. Katherine Wallace 's number, but it went futile as by this time, Mr. Steve had destroyed both her phone and sim card to escape police. However, all this while, Mr. Steve was carrying Ms. Katherine Wallace 's apple watch which was gifted to her by the company upon being awarded the most sincere employee. Police contact Apple Inc. to assist them in tracking Ms. Katherine Wallace 's location through the watch. The location was tracked in some Jabari village near the Hindia-Thames border.
16. The police proceeded to Jabari and apprehended Mr. Steve living in the backyard of a old house. Upon being asked about the whereabouts of Ms. Katherine Wallace , he told police that he ended up his

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relationship with Ms. Katherine Wallace long back and has started a new life as a data analyst at Beta Techlog Pvt. Ltd.

17. The police believed him and came back to Indraprastha but still continued investigating the case. They started searching the nearby locality of Ms. Katherine Wallace's and Mr. Steve's rented apartment. No one had installed CCTV cameras in the locality. However, on the way to the Talokan forest from the apartment, there was an abandoned vehicle parked near the entrance of the forest.
18. Police searched that car and found a dashcam installed in a working condition. The police played its recordings and noticed a man of similar appearance with that of Mr. Steve walking down the adjoining road to the forest with a black hood, black bag and silver colour headphones with a special 'W' mark on it. Police again went back to Jabari this time with search warrant. Upon the search, they found out a similar headphone, but without that 'W' mark.
19. Police arrested Mr. Steve and after obtaining transit remand, brought him back to Indraprastha for investigation. During his interrogation, he created a lot of concocted stories to mislead Police. Police finally decided to conduct his narco analysis test where his lies were caught. He finally narrated the whole incident to the police about dismembering the body of Ms. Katherine Wallace but never admitted his guilt for the offence of murder. Police searched the entire forests, but could not find the pieces of dead body for the purpose of DNA test to ascertain the identity of Ms. Katherine Wallace. However, they found a piece of human femur. Upon its forensic test, it was shown to be femur of a female aged between 30-35 years.
20. The police, on the basis of confession of Mr. Steve, narco analysis test and forensic reports, charged him under various provisions of Indian Penal Code, 1860 for the offence of murder, causing grievous hurt by deadly weapon, attempt to murder, tampering of evidence and additionally section 66C of the Information Technology Act, 2008 of India. The trial court convicted him for all the offences and sentenced him to life imprisonment.

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Aggrieved by the order of the trial court, Mr. Steve filed an appeal against the order before the High Court of Indraprastha. The High Court, ruling in favour of Mr. Steve, set aside the conviction for lack of evidence. Now, the State, aggrieved by the decision of the High Court of Indraprastha, filed an appeal before the Honourable Supreme Court of Hindia challenging the judgment of High Court acquitting Mr. Steve. The said appeal is pending before the Hon'ble Supreme Court and the following issues have been framed by the court on which the participants are required to argue:

1. Whether the present appeal is maintainable before the Hon'ble Supreme Court of Hindia?
2. Whether the offence of murder has been made out against Mr. Steve in light of the present facts?
3. Whether the offence of section 66C of the Information Technology Act, 2000 has been made out against Mr. Steve?

The participants are free to frame any other issues apart from the issues aforementioned subject to the restriction that the above three issues have to be argued mandatorily.

*Note: The laws of the country of Hindia are *pari materia* to the laws of India.*

CONTACT US

All questions, queries and clarifications regarding MOOT PROPOSITION & RULES are to be mailed at mcslaw.bvimr@bharativedyapeeth.edu

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