



L OVELY
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NAAC
GRADE **A++**

Transforming Education Transforming India

5th GAVELLED

National Moot Court Competition



22-23
March 2024

Moot Court Society, School of Law,
Lovely Professional University, Phagwara, Punjab.

Think**BIG**



ABOUT LOVELY PROFESSIONAL UNIVERSITY

Lovely Professional University (LPU) is a multi-faculty research-oriented institution with hi-tech campus offering more than 200 professional programmes. LPU campus is a complete world in itself having students from 28 states of India and more than 50 countries of the world.

LPU is a world class institution with internationally benchmarked curricula, innovative pedagogy focused on experiential learning, cutting edge research, 300+ foreign tie-ups, well qualified faculty with industry exposure, outstanding sports & cultural facilities, excellent residential facilities, In-campus shopping mall, hospital, banks, postal services etc.

The University is ranked high on various parameters by Government Bodies and other credible organisations. LPU receives Highest Grade A++ with 3.68 score on 4 Point Scale by NAAC (National Assessment & Accreditation Council), an Autonomous Institution of the University Grants Commission (UGC), Ministry of Education, Govt. of India. Times Higher Education Impact Ranking 2023 has ranked LPU 2nd in India. The Times Higher Education World University Rankings 2024 has ranked LPU 25th amongst Top Universities of India (Both Govt. & Private). The University has also been ranked 38th in NIRF Rankings 2023 by Ministry of Education, Govt. of India amongst all government and private universities in India. LPU also has the distinction of being the first private university in India to get ICAR accreditation from Ministry of Agriculture, Govt. of India for its Agriculture programmes.

ABOUT SCHOOL OF LAW

Approved by the Bar Council of India, Law Discipline of LPU is one of the premier institutes in the country and ranked 16th in NIRF rankings (Law) 2023. Outstanding features of the school include the technology and research focus at both UG and PG levels and numerous exposures to Mooting sessions and competitions to bring greater rigor to the litigation skills of graduates and prepare them for a broader range of global professional careers. Our students are groomed to hit the ground running with rigorous practical exposure in drafting, mock trials, and activities like crime scene investigation, discussions, debates, etc.

Besides, the Discipline undertakes meticulous planning of internships with Judicial Officers, prominent legal practitioners, law firms, and Commissions like Human Rights, Women, Child and Information Commission, etc. The Discipline also organizes international conferences and interactions with acclaimed law practitioners to broaden the horizon of students and to familiarize them with emerging legal developments. The school also encourages its student to undertake freelancing projects, to encourage the spirit of innovation, entrepreneurship and leadership.



MOOT COURT SOCIETY

The Moot Court Society (MCS) at the School of Law, LPU, takes proactive measures to foster the growth of moot court activities. The MCS is entrusted with the responsibility of orchestrating intra-moot court competitions, inter-university moot court contests on both the national and international levels, as well as trial advocacy competitions.

The MCS plays a pivotal role in nurturing future mooters and cultivating a vibrant, researching and mooting culture within the school. Our ultimate objective is to uphold the principles of justice through the effective practice of law.



ABOUT THE COMPETITION

The Gavelled National Moot Court Competition stands as the flagship event of our School of Law, dedicated to hosting a prestigious national-level moot court competition. The primary goal of this competition is to foster a heightened awareness and interest in the pressing contemporary issues and the ever-evolving field of criminal jurisprudence. The competition is built around a challenging moot problem that delves into the conflict between established legal principles and the emerging interests of society in a rapidly changing landscape.

School of Law, LPU will be organizing the "5th Gavelled, National Moot Court Competition" on 22nd-23rd March, 2024.

This year's moot problem is delves upon a socio-criminal issue faced by innocent people living in our society. It involves different laws of criminal jurisprudence like the Penal Code, the Evidence Act and Procedural Code which shall be appealing for young participating counsels to tackle with and they shall argue upon the same in a real time environment. The proposition is culmination of simple laws mixed with complex facts which shall challenge the analytical and critical thinking of the students and bring the best out of them.



Glimpse of 4th Gavelled National Moot Court Competition; 2022



Eligibility for Participation

All students enrolled bona fide in an undergraduate course of Law i.e., 3 Yrs./ 5 Yrs. from any college or university shall be eligible for participation in the competition. Each College/ University/ Institution shall be allowed to register only one team in the Competition.



Registration

The teams are required to duly complete the registration by 15th February 2024 (11:59 P.M.) by filling out the following Google form and the registration fees shall be ₹6000/-. If registered by 31st January 2024 (11:59 P.M.), the registering team can avail, the early decision benefit and the registration fees shall be ₹5500/-



Format of the Competition

The Competition comprises of the Following Rounds:

- Researcher's Test (A day prior to the oral rounds).
- Preliminary Rounds (Prelims 1 & 2)
- Quarter Finals
- Semi Finals
- Grand Finale

Registration Link: <https://www.lpu.in/events/gavelled/>

TEAM COMPOSITION

Each team shall consist of three members, comprising of two speakers and one researcher. Any alterations in the composition of the team should be informed to organizing committee. It is the discretion of the committee to permit/reject such proposed alteration. However, any such alteration shall not be permitted without a satisfactory and reasonable justification, after the submission of memorials (Soft Copy). The inability of any team member to participate in accordance with the rules of this Competition shall lead to immediate disqualification of the team from the Competition.



**Team of LPU, Stood Runner-Up In
13th AIL Checkmate National Moot Court, 2023**

THE MEMORIALS

The Teams shall prepare memorials for both the sides: Petitioners and Respondents. The cover page of the memorials sent, for both the soft and printed copies, shall clearly mention the word “P” for memorials on behalf of the Petitioner, and the word “R” for memorials on behalf of the Respondent.

Each memorial should be contained in a single file with the name of the file being the allocated team code followed by the first letter of the party whose arguments are presented in that Memorial, i.e., an ‘R’ for Respondent(s) and ‘P’ for Petitioner(s). For instance, the respondent(s) memorial of team code 10 should be named as ‘10R’.

To conserve paper, teams may print their memorials on both sides of the A4 sheet and submit accordingly and it is advised to avoid use of plastic files and Paper files are encouraged.

Contents of the Memorial

Memorials must contain not more than a total of 35 pages and the following sections should be present in the same order, as stated below-

- Cover Page;
- Table of Contents;
- Index of Authorities;
- Statement of Jurisdiction;
- Statement of Facts;
- Statement of Issues;
- Summary of Arguments;
- Arguments Advanced; (Not exceeding 20 pages)
- Prayer

The cover page of the petitioner's memorial shall be printed on blue colour A4 size paper, and the cover page of the respondent's memorial shall be printed on Red colour A4 size paper.

Formatting

The font style and size of the text of all parts of the Memorial, excluding the Cover Page shall be Times New Roman, size 12, 1.5- line spacing. The Footnotes shall be in Times New Roman, size 10, single (1) line spacing.

Evaluation

The maximum scores for the memorials shall be 100 marks. The memorials shall be evaluated on the following criteria:

- Total 100 marks
- Knowledge of Law and Facts: **30 Marks;**
- Proper and Articulate Analysis: **30 Marks;**
- Extent and Use of Research: **20 Marks;**
- Clarity and Organization: **10 Marks;**
- Grammar and Style: **10 Marks**

Penalties

- Disclosure of team identity by any means: **5 Marks**
- Exceeding the page limit: **1 Mark per page**
- Violation of formatting rules: **0.25 Marks per page**
- Delay in submission of memorial: **1 mark per hour**
- Use of any internet sources during Oral Rounds: **Disqualification**
- Scouting: **Disqualification**

CLARIFICATION

Clarifications to the Moot Proposition may be sought by sending an e-mail to the Organising Committee on or before 16th February 2024 (11:59 P.M. IST). Clarifications sent after the provided deadline shall not be entertained. The clarifications, if any, will be circulated amongst the registered teams shortly thereafter.



ORAL ROUNDS

The researcher shall sit with the speakers during the orals and at no point of time the researcher shall be allowed to speak or address the bench.

Maximum marks for the oral rounds shall be 100 marks per speaker.

KNOWLEDGE OF LAW	20 MARKS
APPLICATION OF LAW TO FACTS	20 MARKS
INGENUITY AND ABILITY TO ANSWER	20 MARKS
STYLE, POISE, COURTESY AND DEMEANOUR	20 MARKS
TIME MANAGEMENT	10 MARKS
ORGANISATION OF ARGUMENTS	10 MARKS

- Each Team shall appear in two Preliminary Rounds. They shall have to argue as the Applicant and Respondent once each. No two teams shall face each other more than once in the preliminary rounds.
- Draw of lots shall determine which two teams would face each Other and the side shall be represented by each team.
- Each team will get a total of 25 minutes to present their case. This time will include rebuttal and sur- rebuttal time. Non-adherence to time may result in deduction of marks.
- The division of time per speaker is left to the discretion of the team subject to a lower limit of 10 minutes per speaker.
- For the purposes of qualification from the Preliminary Rounds to the Qualifiers, the top 4 teams shall be decided on the basis of Wins. In case two or more teams having the same number of Wins then the aggregate Oral Round Scores, and if the tie persists their memorial scores shall be taken into consideration.
- The Qualifiers shall be knock-out rounds and the determination of opponents for the four qualifying teams shall be based on their ranking in the Preliminary rounds.
- The highest-ranking team shall compete with the lowest ranking team and same method shall be followed for the other teams and the Draw of lots shall determine the side shall be represented by each team in the knock out rounds.
- In case of a tie, the team with the higher memorial score will stand qualified for the final round.
- Each team shall get a total of 45 minutes to present their case. This time will include rebuttal and sur- rebuttal time. Non-adherence to time may result in deduction of marks.
- The division of time per speaker is left to the discretion of the team subject to a lower limit of 15 minutes per speaker and upper limit of 30 minutes per speaker.

- The Winning teams of the Qualifier rounds shall compete in the final round. Each team will get a total of 45 minutes to present their case. This time will include rebuttal and sur- rebuttal time. Non-adherence to time may result in deduction of marks.
- The division of time per speaker is left to the discretion of the team subject to a lower limit of 15 minutes per speaker and upper limit of 18 minutes per speaker.

DRESSING

The dress code for the oral rounds shall be an advocate's attire, i.e., Black and White combination, including Blazer, Tie, Formal Trousers and Black Shoes.



LPU Students as the Winners of 5th Late Shri Thakur Kashmir Singh Memorial National Moot Court Competition, 2023

AWARDS

- Winning Team Award – The winning team will receive certificate of winning, trophy with a prize money of ₹30,000/-.
- Runner-up Team Award – The runner-up team will receive certificate of runner up, trophy, with a prize money of ₹20,000/-.
- Best Speaker will receive a trophy, certificate and a prize money of ₹10,000/-.
- Best Researcher will receive a trophy, certificate and prize money of ₹10,000/-.
- Best Memorial -The team submitting the best Memorial will receive a trophy, Certificate and a prize money of ₹10,000/-.
- All the participants will be awarded with the participation certificate.

ANONYMITY

The student counsels shall not state their names during the oral rounds and must use the assigned team code for all correspondence. All team members must refrain from disclosing the identity of their institutions at any time and in any manner during the entire Competition.

Scouting is strictly prohibited and scouting by any team shall entail instant disqualification. Non- compliance with this Rule will result in immediate disqualification of the team.

FINALITY OF THE DECISION

The decision of the judges with regard to the outcome of the rounds shall be final. For all purposes and in any dispute, the decision of the Moot Court Coordinator of the Competition shall be final and binding.

31 Jan | 11: 59pm

Early Decision Benefit

15 Feb | 11: 59pm

Last date of Registration

20 Feb | 11: 59pm

Last date for any clarifications

16 Mar | 11: 59pm

Memorial Submission

22/23 Mar | 11: 59pm

Date of the Competition

MOOT PROPOSITION

1. A woman named Meera, aged about 25 years, working in Delhi, was getting engaged to Anoop, who also happened to be employed in Delhi. Their engagement ceremony was to be in the house of Meera at Jalandhar Cantt on 4th December 2023.
2. Accordingly, on 1st December 2023, Meera along with her child, (aged 3 years) boarded the Delhi-Jalandhar Passenger Train at about 5.30 p.m. from Delhi Northern Railway Station to go to her home. They had boarded the ladies' coach (S2), where other passengers were also present.
3. When the train reached Ludhiana, around 10:05 PM, all other passengers in the ladies' coach had disembarked and therefore, Meera panicked at the said instance and alighted the train along with them and hurriedly entered the ladies' coach attached succeeding the last General Coach (S8). The train reached Phagwara Railway Station at 10:40 pm where it halted for some time.
4. A man, named, Vikram aged 28 years who was also going back home, noticed a girl like Meera, who was alone in the ladies' coach. As soon as the train had left Phagwara Railway Station and moved towards Jalandhar Cantt, Vikram entered the ladies' coach.
5. Tony, Tenzin, and Tushar who were also travelling in the general coach which is behind the ladies' coach (S9). Tony and Tenzin alleged that after the train started from Phagwara they heard the cries of the women and a child and wanted to pull the alarm chain to stop the train but they were dissuaded by a middle-aged man named, Mahesh who was standing at the door of the compartment, stated that he saw a girl falling from the train and that in these circumstances they should not take the matter any further as the same may drag all of them to Police and the Court. Another passenger, Tushar, said that he heard multiple bang noises from the other coach.
6. However, when the train reached Jalandhar Cantt Railway Station, Tony and Tenzin rushed to Balraj Singh, the guard of the train, and complained about the incident which triggered an investigation, for Meera, her child, and the accused. Eventually, Meera was found in a badly injured condition lying by the side of the Railway track. The child who was crying inconsolably was found in the same ladies' coach, and the accused was also apprehended soon thereafter.
7. Meera was taken to the local Hospital whereafter she was taken to the Medical College Hospital, Jalandhar where she succumbed to her injuries on 2nd December 2023. As per the medical examination report, the cause of death was multiple injuries on the head incurred as a consequence of her head hitting the railway track. It was also disclosed that the extracts of DNA from the vaginal smear matched with the DNA of the accused. Some clotting and nail marks were there on the victim's body with injuries on her private parts.
8. During the medical Examination of the accused Vikram, it was found that the accused had also some clotting around his neck with nail scratch marks on his back.
9. During the investigation, the police got to know that the accused was none other than Vikram who was the former husband of the deceased. It was further confirmed from the investigation that they got divorced after the accident which happened 2 years ago in which the accused lost his right arm. There were a lot of rumours and speculations regarding the split up of the deceased and her husband Vikram. The deceased was disturbed by this and she also mentioned this to her three friends, Shruti, Surbhi, and Shraddha. The divorce was the point of discussion between their common friends. It was said that Meera did this because she was not satisfied due to Vikram's disability and Vikram also shared the same opinion.
11. The police recovered the mobile phone of the deceased from Ramesh Yadav who bought it from Suraj who is a distant friend of Anoop. It is alleged that the accused sold it to Suraj just after the incident and also confessed to the Police that he ransacked Meera's belongings and went away from the place with her mobile phone.
12. Meanwhile, the mother of the deceased informed the police that the child has been scared of Anoop and starts crying every time he sees him. He also points towards Anoop every now and now and says, "Mom...Ano.." and starts crying again.
13. Investigation revealed that Anoop acted possessive when it came to Meera when she shared her respect and care for Vikram on multiple occasions, which she still had even after a mutual divorce. Anoop was not very accommodating towards the child, a saying in their families.
14. It is in these circumstances that the accused was charged with the commission of offences under sections 302, 376, 394, and 397 of Indian Penal Code(IPC). The case is listed for trial before Session Court, Jalandhar on 22nd March 2024.

Issues of the Case

- Whether the accused will be held liable under section 302 of IPC?
- Whether the accused will be held liable under section 376 of IPC?
- Whether the accused commit the offences under sections 394 and 397 of IPC?
- Whether the statement of the Child is admissible?

Teams have the liberty to frame any other sub-issues(s).

Disclaimer

- The facts stated in the moot proposition are fictitious and have been drafted solely for the moot court competition.
- The names, locations, dates used and the situation described in the proposition have no resemblance to any person alive or dead, or any event.
- No real incident can be attached to anything contained in this proposition.
- The proposition doesn't intend to hurt the feelings of any person or any section of society.

ANNEXURE 1

Map Route (New Delhi to Jalandhar)

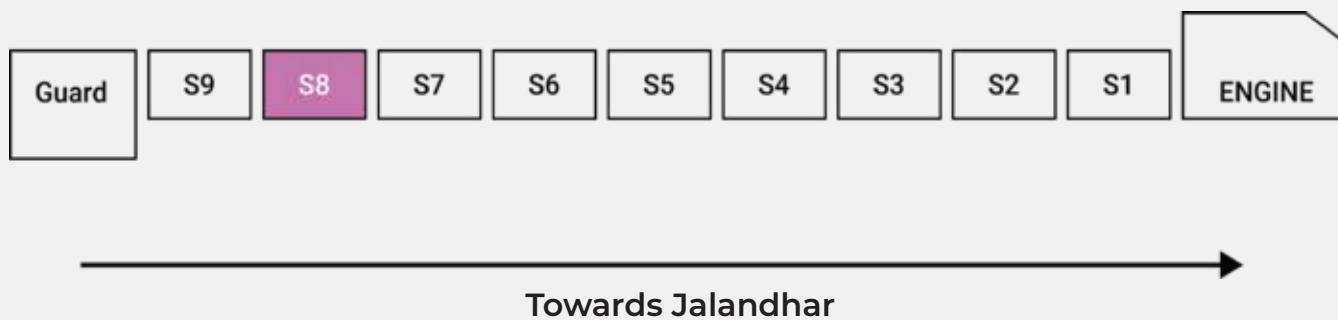


Station wise Map Route (Jalandhar to Phagwara)



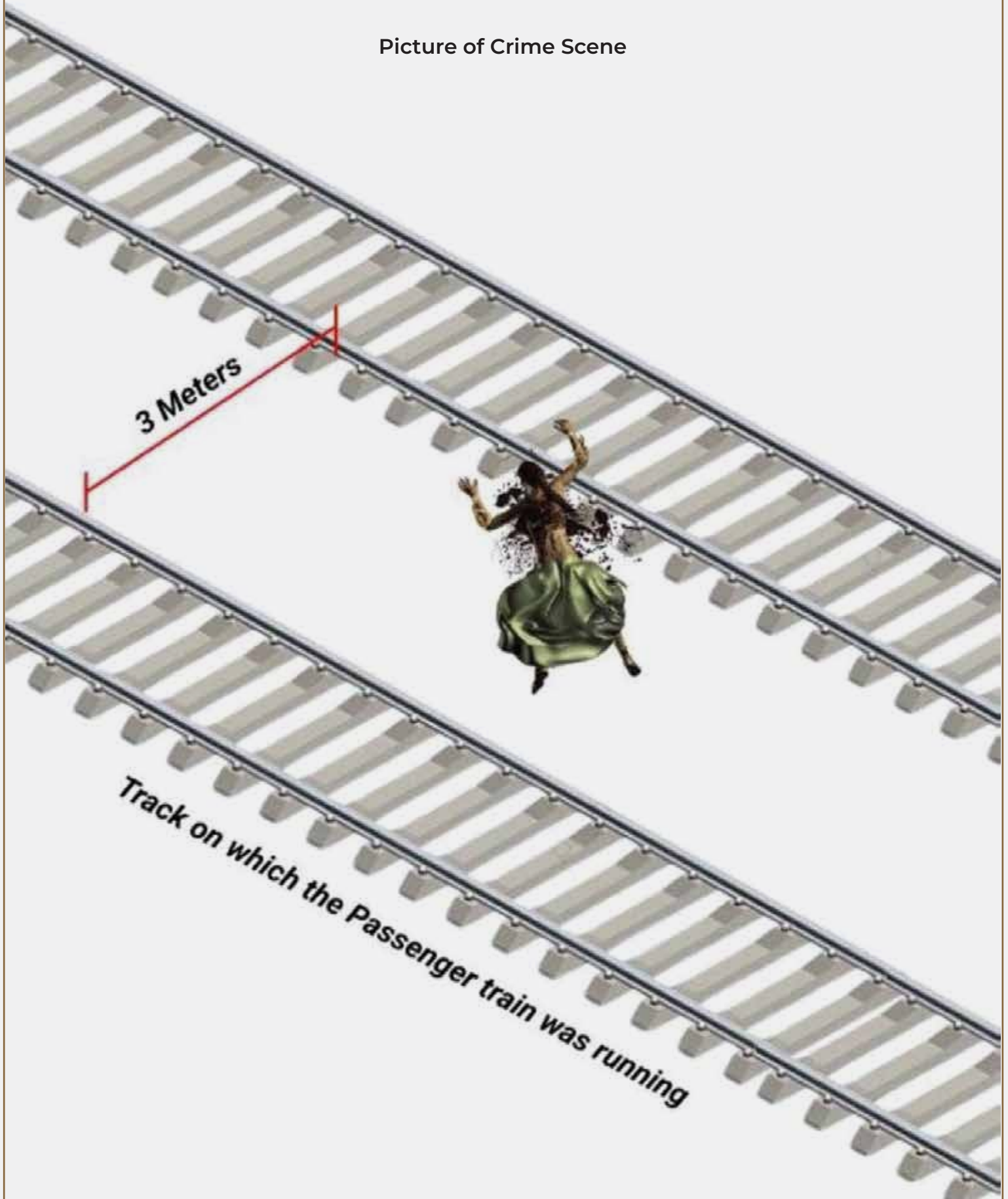
ANNEXURE 2

Coach Wise Division



ANNEXURE 3

Picture of Crime Scene



ANNEXURE 4

Statements

- Tushar: "I heard multiple loud bang noises on the wall of the toilet adjacent to the ladies' coach."
- Tony and Tenzin: "We didn't see someone jumping from the train but only heard some screams and we were stopped by Mr Mahesh to check on it."
- Mahesh: "I saw a Girl falling from the train."

ANNEXURE 5

POST-MORTEM REPORT FORM Medical College Hospital, Jalandhar

Conducted By: **Dr. Mukul**

Date: **02/12/23**

CASE PARTICULARS

- I. (a) Name of deceased and as entered: **Meera in the Jail or Police record**
(b) Address: **Anand Vihar, New Delhi- 110092**
- II. Age (Approx.): **25 Years** Sex: **Female**
- III. Height: **5'6** Weight: **77 Kgs**
- IV. (a) External Findings:
 1. Injuries Sustained on Head, Neck, and Private Parts.
 2. Scratch Marks on the Back.
 3. Scratch Marks on External Thighs
(b) Internal Findings: (i) Hairline Fracture on the Skull.
(ii) Private Part Injuries.

Receiving by I.O.

Name : Jaswant Singh
Rank : Sub- Inspector
Police Station : Jalandhar
Date of Collection : 02 / 12 / 23

ANNEXURE 6

Call Record Details

Transaction Date	Caller Number	Receiver Name	Duration (HH:MM:SS)	Time
29th November 2023	+919876543210	Surbhi	01:00:15	01:00 PM
30th November 2023	+919936000032	Anoop	00:40:00	01:00 PM
30th November 2023	+918427943959	Vikram	00:00:40	08:30 PM
30th November 2023	+917534218960	Maya	00:50:15	10:33 PM
1st December 2023	+918427943959	Vikram	00:00:00	02:30 PM
1st December 2023	+918427943959	Vikram	00:00:00	02:32 PM

ANNEXURE 7

CCTV Footage Details

Dt: 1st Dec. 2023

Railway Station, Delhi

- Meera was seen waiting at the platform at 4:30 pm.
- Meera was seen entering into the lady's compartment.

Railway Station, Phagwara

- Vikram was seen getting into the train at 10:40 pm.
- Meera alighted the train and was rushing towards another compartment at 10:41 pm.

Railway Station, Jalandhar

- Vikram was seen going out of the railway station at 11:07 pm.
- Anoop was seen exiting the railway station at 11:09 pm.

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Moot Court Coordinator,
Associate Professor
School of Law, Lovely Professional University

ORGANISING COMMITTEE

The Organising Committee (O.C.) shall be responsible for all administrative matters concerning the competition and shall supply and distribute all necessary information to the participating teams. The official email ID for all the correspondence is Solmootcourt@lpu.co.in



Moot Court Society at 4th Justice V.R Krishan Iyer Intra-Moot Court Competition, 2023



Office Bearers, MCS at 4th Justice V.R Krishan Iyer Intra- Moot Court Competition, 2023

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5th GAVELLED NATIONAL MOOT COURT COMPETITION

22-23rd March, 2024

Moot Court Society, School of Law, Lovely Professional University, Punjab

Registration Form

I. Institute Details:

Name & Address of the Institution/University/College

.....
.....

Email Address (Institution/ Director/Dean/Principal).....

II. Details of Speaker – I

Name

Gender.....

Class.....

Contact Number.....

E-mail Address.....

Photo

III. Details of Speaker – II

Name

Gender.....

Class.....

Contact Number.....

E-mail Address.....

Photo

IV. Details of Researcher

Name

Gender.....

Class.....

Contact Number.....

E-mail Address.....

Photo

V. Fee Amount ₹5500/- till 31-01-2024 thereafter late fee application i.e. ₹6000/- per team (including accommodation)

Payment Gateway details.....

Seal and Signature of Dean/ Principal/ Director

KINDLY NOTE

Registration form to be mailed at solmootcourt@lpu.co.in (hard copy of the same to be deposited by hand at the registration desk at the time of competition)



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