

Moot Proposition

Mr. Anshul Sharma was a 21 – year old boy who was pursuing law from Athura School of law, Athura. He was the topper of his class. In the fourth year of his college, he came close with his friend and batch mate, Ms. Sunidhi Agarwal, who was also a bright student. Sunidhi was into a luxurious lifestyle, while Anshul was a simple boy from middle – class background. In 2019 post their graduation, their families were introduced to each other; after meeting of both the families they become more reliable to each other, and on 5th January 2020 they both went off to Unna (a city in Indiana) and started living together because of getting the job in the same company. Their parents were not aware that they are living together. Everything was going fine but after 2 months on 10th March, Anshul got promoted to higher post with increased salary due to his hard work. They celebrated this moment and had party with their colleagues in a nearby Pub along with some drinks and liquor. Anshul used to bear all of their expenses.

As days passed, Anshul started having a busy schedule due to which he was unable to give much time to Sunidhi, thereafter she started chilling out with her colleagues and made some good friends named Kiyara and Subodh. They started coming to Anshul and Sunidhi's house daily and started having parties on alternative basis on Anshul's money. One day Subodh told Sunidhi and Kiyara that he had connections with some drug dealers and they should try it once. Sunidhi denied for once and then after Kiyara and Subodh forced her, so she said yes and gave it a try.

Soon after days passed and their friendship started growing, they started consuming drugs on a regular basis. One day Sunidhi was not feeling well and starting vomiting, Anshul got scared and called a doctor. After the whole-body checkup, doctor told Anshul that his friend, Sunidhi is taking high dose of drugs. On knowing all of this, Anshul got angry and talked to Sunidhi. She denied for once and then told him all the truth. Anshul told her, that intake of drugs is not good for her health, so she should stop consuming it and asked her to stay away from Kiyara, Subodh and start focusing on her work. Sunidhi agreed and promised to not do it again.

Everything went fine for few days but due to increased work pressure, Anshul was tensed as he could even end up losing his job if the revenue would not be generated. So he couldn't give time to his girlfriend. On 20th April 2020, Sunidhi wanted to chill out so she again called her friends Kiyara, Subodh and went for a party without letting Anshul know. As she told Anshul, that she is

going to meet her childhood friend. Then she again started to give some excuses and went for parties on a daily basis. Anshul was quite worried for her but due to excess work pressure, he couldn't pay much attention.

One day sunidhi told her friends that Anshul is being quite annoying and does not pay attention towards her and she is more deserving than Anshul, he got promotion only because he is close to his boss. Her friends advised her not to take stress and just chill and influenced her to take drugs as it will relieve her stress. She got influenced as she was already tensed due to her love life and got into drugs again.

On 1st May, Anshul end up losing his job due the COVID crises in the country. He was even searching for new jobs but couldn't find any suitable job, he started going into depression as had no one to support him. Sunidhi started living with Kiyara and does not pay much attention towards Anshul. She had Anshul's ATM card and started spending his money without even letting him know. On 5th May Sunidhi has transferred Rs. 5 Lakh from Anshul's bank account to her bank account and this was the only money leftover in Anshul's account.

When Anshul received a message from his bank, he called Sunidhi asking for the same. She told him that her family is in urgent need of money, so she has done this in urgency. Anshul said nothing and asked money from his own family as he was left with no money. As sunidhi came to know about Anshul's job and his depression, she came back and started living with him on 6th May.

Sunidhi started giving some medicines to Anshul on advice of her friend Subodh but still Anshul's condition was the same. So they visited a doctor and he has given a prescription and told Sunidhi to take his proper care and give medicines on time. Anshul told his family about his condition and they were quite worried for him but couldn't visit his place due to lockdown, so they asked Sunidhi to take care of their child. Meanwhile Sunidhi and Subodh started talking whole day long and they both started loving each other.

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On 20th May at around 12 Midnight, Anshul was sleeping in his room and Sunidhi was doing her office work while talking to Subodh in a nearby room and she slept their while talking. On 21st May, in the morning around 9:00am, she went to Anshul's room and found him lying on the floor. She screamed and called Subodh and Kiyara. Three of them took him to the hospital where he was found dead.

F.I.R was filled and Anshul's family reached unna on the same date at 4pm. Anshul's body was send for post mortem and it was found that he was died due to poison. Investigating officer, Mr. Rahul went to Anshul's house on the same day and checked it properly, where he found some medicines which were given to Narcotics Lab for examination on 22nd May.

The Narcotics Lab report on 24th May confirmed that the sample contain Poppy. Anshul's family tried to get the F.I.R registered under section 302 of Indiana Penal Code, and Section 8(c) and 18 (c) of NDPS Act against Sunidhi and on refusal by the police to register the F.I.R as they (police) consider it as a suicide case instead of murder, so Anshul's family approached the Tribal Court of Unna to get the order from the court for the police to register an F.I.R.

Note: -

- 1. Unna and Athura are cities in Indiana.**
- 2. The Laws of Indiana are In Pari Materia to the laws of Union of India.**
- 3. Participants are free to make issues as per their choice.**

