



BAHUJAN HITAY BAHUJAN SUKHAY

SHRI SHIVAJI MARATHA SOCIETY'S LAW COLLEGE, PUNE

Approved by Bar Council of India, Recognized by Government of Maharashtra &
Affiliated to Savitribai Phule Pune University, Id. No. PU / PN / Law / 187/2003
S.P.P.U. Puncode - CLWP011960 AISHE Code - C-41521

O / No. : 541 - 2024 - 2025

Date : 22/03 / 2025

To,
The Principal / Head of Department,

Subject: Invitation to Participate in Chhatrapati Shri Shivaji Maharaj Sixth State Level Moot Court Competition on Saturday 12th April, 2025.

Dear Sir / Madam,

It gives me an immense pleasure to announce that, Shri Shivaji Maratha Society's Law College, Pune is organizing "Chhatrapati Shri Shivaji Maharaj Sixth State Level Moot Court Competition" is to be held on Saturday 12th April, 2025. This Competition provides mootng opportunities to the students for honing their skills which are a pre-requisite for entering into the legal profession. We would like to invite your prestigious institute to participate in this competition.

Kindly find attached a copy of the Moot Problem and its Rules. For any queries write to us at ssmslawcollegemootcourtvi2025@gmail.com look forward to your positive response and participation in this Sixth State Level Moot Court Competition.

Thanking you...!

Yours Sincerely,


Mrs. Siddhakala Bhawsar
ACTING PRINCIPAL
Shri Shivaji Maratha Society's
LAW COLLEGE
425 Shukrawar Peth, Pune-2.





“BAHUJAN HITAY, BAHUJAN SUKHAY”

**Shri Shivaji Maratha Society's Law College,
425, Shukrawar Peth, Pune – 411002.**

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Affiliated to Savitribai Phule Pune University, Pune.)**

Organizes

**CHHATRAPATI SHRI SHIVAJI MAHARAJ
SIXTH STATE LEVEL MOOT COURT
COMPETITION - 2025**



ON

Saturday 12th April, 2025

VENUE

**Shri Shivaji Maratha Society's Law College
425, Shukrawar Peth, Pune - 411 002.**

Important Dates –

CHHATRAPATI SHRI SHIVAJI MAHARAJ SIXTH STATE LEVEL MOOT COURT COMPETITION - 2025

Last Date of Registration	3 rd April, 2025
Last Date of Submission of Memorial	8 th April, 2025
Date of Moot Court Competition	12 th April, 2025

Note: Your participation can be Confirmed after Registration.

Google Form Link:

1. Registration Link:

Before Date : 3rd April, 2025

Link 1 : : <https://forms.gle/g6x5Eh5jB541N3Js8>

2. Memorial Submission:

Before Date: 8th April, 2025

Link 2 : <https://forms.gle/nw6ye3cR86xJ1cJ59>

Shri Shivaji Maratha Society's Law College , Pune

MOOT PROBLEM

The State of Karnatak is one of the most populous States in the Republic of India. The town of Navagram, located in the southern part of Karnatak. On December 12, 2023, a well-known forensic pathologist, Dr. Akarsh Mehta, was conducting an autopsy at the Navagram Government Hospital when he discovered that the body of Ms. Prisha Rao, a 24-year-old woman who had been found dead under suspicious circumstances, showed signs of sexual activity post-mortem. Subsequent forensic examination confirmed the presence of seminal fluids and DNA belonging to Mr. Rishabh Verma, a mortuary assistant working at the same hospital.

Following the investigation, Rishabh Verma was arrested and charged under Section 297 Indian Penal Code 1860, at present under Section – 301 Bharatiyana Nyaya Code, 2023, for trespassing on a burial site and violating the dignity of a dead body, Section 377 of the former Indian Penal Code 1860 is deficient about the same. However, the prosecution faced a significant legal challenge as the Old Law Indian Penal Code 1860 and now Bharatiyana Nyaya code, 2023, which does not explicitly recognize Necrophilia as a Criminal offence, nor does it provide for post-mortem sexual assault under the definition of "Rape" under Section 63 of Bharatiyana Nyaya code, 2023.

The accused, Rishabh Verma, through his counsel, argued that his actions do not constitute Rape as the Law requires the victim to be alive at the time of the act. Furthermore, he contended that there was no express provision criminalizing Necrophilia. On the other hand, the State of Karnatak argued that the act of sexual assault on a deceased person violates the Fundamental Rights of dignity under Article 21 of the Constitution of India and demanded urgent judicial intervention to fill the Legislative gap. The prosecution also argued that Section 375 and Section 376 with Indian Penal Code 1860 and at Present Section 63 of Bharatiyana Nyaya Code, 2023, should be interpreted expansively to include post-mortem assault within its ambit, emphasizing the need for judicial recognition of the inherent dignity of the deceased. The High Court of Karnatak reversed the decision of the Trial Court and acquitted the accused of all offences. The High Court ruled that post-mortem sexual assault does not constitute Rape or any other recognized sexual offence under the existing legal framework.

Being aggrieved by the order passed by the High Court of Karnatak, the aggrieved party moved to the Supreme Court of India to challenge the order of the High Court of Karnatak. It raised fundamental legal and constitutional questions regarding the scope of Rape Laws, the Right to dignity of the dead Person, and the necessity of Legislative Intervention in criminalizing Necrophilia.

Issues for Consideration:

1. Whether the definition of "Rape" under Sections 375 and 376 Indian Penal Code, 1860 as well as at present Section 63 of the Bharatiya Nyaya Code, 2023, should be expanded to include victims who are deceased at the time of the offence.
2. Whether post-mortem sexual assault should be classified as Rape, an Unnatural Offence, or necessitate recognition as a distinct criminal offence under Indian Law.
3. Whether the gravity of the concept of dignity with respect to sexual activity with a deceased person violates the constitutional guarantee of dignity under Article 21 of the Constitution of India.
4. Whether a dead body can be considered a 'Person' under the Law and whether the absence of explicit statutory provisions criminalizing 'Necrophilia' in India creates a Legal Vacuum.

Note –

The Facts Moot Problem is based on Imaginary Ideas. There is no relevance of Facts, Moots Problem, Characters & Jurisdiction of the same problem, with actual Legal System. All the Material & Ideas are fictitious & fabricated.

RULES

The Competition will commence on **Saturday 12th April, 2025 at 10:00 a.m.** Participant should report at Shri Shivaji Maratha Society's Law College Pune. at 09.00 a.m.

- Before the commencement of the Competition. **(If any change in the date and venue of the Competition, it will be informed later on well in advance).**
- A nominal Registration Fee for per team **Two Speakers are**

INR 2000/- (Two Thousand Rupees)

Fee Payment:

By UPI QR Code Online on "Principal, Shri Shivaji Maratha Society's Law College, Pune 02"

Name of the Account	Principal, Shri Shivaji Maratha Society's Law College, Pune 02
Name of the Bank & Address	Bank of India, Tilak Road, Pune - 411002
Account Scanner	<p>Scan QR Code for Payment *</p>  <p>Bank of India Relationship beyond banking SHRI SHIVAJI MARATHA SOCIETY LAW COLLEGE SCAN & PAY boim-050934640035@boi</p>

There will be only **One Round** of competition with one moot problem.

- Each College is required to send a team (Consisting of Two Students) one for the Appellant, one for the Respondent. The names of the team members (Bonafide Students) should be communicated in writing (i.e. in Registration Form given in Annexure I) by the Principal, **on or before 8th April 2025**. Registration Form (Scan Copy) E-mailed to ssmslawcollegemootcourtvi2025@gmail.com
- **There shall be following Prizes:**
 - The Best Team getting highest of marks will be declared as the **Winner Team** and will be awarded the Trophy and **Cash Prize. (Rs.4000/-)**
 - The Next Team getting highest of marks will be declared as the **Runner up Team** and will be awarded the Trophy and **Cash Prize. (Rs.3000/-)**
- The **Best Student Advocate on behalf of Appellant** securing highest individual marks will be given Memento and **Cash Prize. (Rs.1500/-)**
 - The **Best Student Advocate on behalf of Respondent** securing highest individual marks will be given Memento and **Cash Prize. (Rs.1500/-)**
- All the participants will be given Certificate of Participation.
- At a time only the team which is arguing will be present in the Court. All the other participants will be seated at a place marked by the Coordinators of the Competition.
- Each participant has to argue for the total 10 minutes i.e. 8 minutes for argument and 2 minutes for each student to answer the queries asked by the Judges. Student participants are advised to follow strict adherence of time and be appear in proper attire.
- The Student must carry with them the photo Identity Card duly signed by authorized Signatory / Principal / HOD.
- Necessary books and reports for reference must be brought by the Participants only.
- Argument shall be in English only.
- Each Participating Team shall submit **four hard copies** of the Written Submission/Memorials. (Each for the Appellant (**Two copies in Blue Color**) and the Respondent (**Two copies in Red Color**) of the Written Submission/Memorials, on or before **8th April, 2025**

- The marks will be assigned to each team in the manner shown below: Total 100 Marks

Written Submission	20 Marks
Meritorious Argument	40 Marks
Advocacy Skill	20 Marks
General Impression, Court Manners, Behavior + time management	20 Marks
Total	100 Marks

- Written Submission / Memorials must contain the following:

1. Rules for page Set up-

- Font: Time New Roman
- Font: size 12
- Spacing: 1.5
- Margins: Top- 1”
Left- 1.5”
Right- 1”
- Paper Size- A4 (A-Four)

2. Table of Contents
3. Index of Authorities
4. Statement of Jurisdiction
5. Statement of Facts
6. Issues Raised
7. Summary of Arguments
8. Arguments Advanced
9. Prayer

- The Competition will take place at the Shri Shivaji Maratha Society’s Law College, 425, Shukrawar Peth , Pune 411 002.
- The decision of the Judges will be final in regard to the result of the competition and no complaints in this regard will be entertained.
- The result of the competition and Prize distribution will be on the same day.
- All communication regarding the competition is addressed to:

Convener

Mrs. Siddhakala Bhawsar

(Acting Principal)

Shri Shivaji Maratha Society's Law College,

425, Shukrawar Peth , Pune 411 002.

Phone No-020-24431144 / 24434024.

The Co-ordinator Faculty – In Charge are:-

1. Miss. Meenakshi Jadhav
Assistant Professor
Contact No - 9604094655
2. Mr. Bhanudas Garje
Assistant Professor
Contact No - 8879874941
3. Mr. Mallikarjun Pujari
Assistant Professor
Contact No - 9403127061

Students Co-ordinators for Queries Regarding Moot Court Problem & Rules:

1. Reena Jadhav – 9420426640
2. Ruchira Pardeshi – 7020530901
3. Gaurav Kumar Yadav – 9336024614

Students Co-ordinators for Queries Regarding Team Registration:-

1. Meetali Gugale- 8390590059
2. Swapnil Shinde – 8551089213
3. Madhav Patil - 9172960697



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REGISTRATION FORM

Date: __/__/2025

<u>Name Of the College</u>	
<u>Address</u>	
<u>Contact No.</u>	
<u>E-mail</u>	

Name, Photos and Signature of the Speakers

Signature

Photo

<u>Appellant:</u> <u>Mr./Ms./Mrs.</u> <u>Mobile Number:</u>			
<u>Respondent :</u> <u>Mr./Ms./Mrs.</u> <u>Mobile Number:</u>			
<u>Any Other Information</u>			
<u>Fee Details:</u>	(Two Speakers is INR 2000/)		
Online Details Transaction Id and Date:			
	(Name, Signature of the Principal and Seal of the Institution)		

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TRAVEL PLAN

Name of Institution: _____

Arrival Details: _____

a) Mode of Arrival : Train / Air / Bus : _____

b) Train No./ Bus No. / Flight No.: _____

c) Estimated Time of Arrival : _____

Departure Details : _____

a) Mode of Arrival : Train / Air / Bus : _____

b) Train No./ Bus No. / Flight No.: _____

c) Estimated Time of Arrival : _____

Any Other details:

(Signature of the Principal and Seal of the Institution)

**Note: All the Expenses of Travelling & Accommodation will be bared by the Participating Institution only.
(Respective Team only)**