

**ANNUAL INTRA INSTITUTE MOOT COMPETITION, 2020**  
**7<sup>th</sup> -9<sup>th</sup> APRIL, 2020**

**MOOT PROPOSITION**

1. Seema aged 25 years hailing from a lower middle class family strived hard to overcome several hurdles to pursue her education. With her diligent efforts she passed her bachelor degree course in nursing and got a nursing job with the Delhi Medical College and Hospital (DMCH) in Delhi. Sanjay Sharma, aged 27 years, a friend of Seema, is a hotel management graduate and despite his best efforts is unemployed. Sanjay's parents used to taunt him about his failure to get a job despite completing his education and always praised his classmate Seema because of her education and career.
2. Sanjay used to confide in Mahesh Yadav about 30 years of age, who was his childhood friend and used to tell him about how Seema who was in relationship with him for 7 years and she has rejected his marriage proposal by saying that she want to work and stabilize her career and want to marry a boy working in a government sector. He also used to tell Mahesh how his parents had ill-treated him for not being able to secure any job.
3. Mahesh treated Sanjay as his younger brother and therefore could not bear the pain of Sanjay and suggested him that he should pressurize Seema to accept his marriage proposal and settle with him at Mohali. He further suggested Sanjay to threaten Seema with a bottle of acid in order to pressurize her for the same.
4. To teach her a lesson, Sanjay procured a bottle of acid on 30<sup>th</sup> April, 2018 as soon as he came to know that Seema was leaving for Delhi to join her new nursing job and he boarded, along with Mahesh, the same train taken by Seema to Delhi on 1<sup>st</sup> May 2018.
5. When Seema was getting down from the train at Delhi railway station, Sanjay who had covered his face with a mask, allegedly threw acid on her face. Subsequently, Mahesh and Sanjay fled easily as their faces were covered. Thereafter, Sanjay boarded the train back to his home at Mohali same evening.

6. Seema was taken to the private hospital. The doctor immediately conducted the surgeries and opined that the injuries were grievous. The gruesome incident had set the local police on their heels as the man who threw acid had concealed his face at the time of attack.
7. Statement of Seema was recorded by the Police and F.I.R was lodged against Sanjay Sharma and his accomplice Mahesh Yadav. The investigation by police led both Sanjay and Mahesh responsible for the crime. A case was registered against both the accused Sanjay and Mahesh under sections 326 A, 326 B read with 34 IPC.
8. Mahesh absconded while Sanjay was arrested by police from his house at Mohali on 8<sup>th</sup> May, 2018.
9. While investigation were going on, after twenty five days i.e. on May 25<sup>th</sup>, 2018 of the gruesome incident, Seema's condition deteriorated and she succumbed to burn injuries in the hospital. The postmortem revealed that she developed acute respiratory insufficiency due to the inhalation of acid vapors. The autopsy revealed severe chemical burns of her skin and lungs, with intense pulmonary hemorrhagic edema caused by the acid and its vapor.
10. Sanjay was put to trial before Sessions Court at Delhi. As per the charge sheet Sanjay threw diluted sulfuric acid at Seema as he envied her career growth. The Police had failed to recover the bottle of acid and face masks.
11. The Session Court convicted Sanjay for the offences punishable under Sections 302, 326 A, 326 B read with 34 of IPC and awarded him imprisonment of life for the offences.
12. Sanjay, aggrieved by the aforesaid judgement, appealed before Delhi High Court seeking acquittal from the charges. The case is listed for arguments before Delhi High Court.  
Argue for both sides.