



INNOVATIVE INSTITUTE OF LAW

INTRA MOOT PROBLEM

1. The facts of the present case are in context of the Country known as Indus, a Country with 28 States and 29 union territories. In 2024, Lower house election is about to held in the country, before elections, during the election campaigns a video clip was posted on instagram which went viral, but the person responsible for uploading the clip is not in the reach of the authority.
2. The video clip was allegedly a sting done on the politician Mehul Mehndi contesting from one of the constituencies of the state, Purwanchal. The 30 second long video clip a lady wearing 'Burkha' and some voices of the persons could be heard. The video clip depicted that the alleged politician Mehul Mehndi was giving Rs 1 Crore to a person in front of him and saying, "you know what you have to do if these miniscule rats come in your way" "This time we have to ruin them"
3. Zoish Irani, convinced by the above video, shared the video clip on her Facebook page and added a comment to it "Bhoot Hua Bharastachar, ab ki baar wahi Sarkar". #arrestmehulmehndi #Boycotmehulmehndi # bhrashtachar #voteforbaba.
4. Mehul Mehndi came across this video clip while surfing the internet at his party office and he immediately lodged a police complaint in Purwanchal against this alleged clip, saying it was morphed, false, politically motivated and intended to harm his image. In his complaint he stated that the post had inflammatory and defamatory statements, hurting religious sentiments and promoting communal disharmony. FIR was lodged invoking the Indian Penal Code, 1860 and other legal provisions. Police made investigations and found out that Zoish Irani was a student of Purwanchal School, aged 17.5 years and the daughter of Mr. Zubin Irani who has a political relation with one of the prestigious political party, CPJ. While Zoish Irani was approaching Shamila with her friends earlier on that day for the school trip she had shared the video clip and added his inflammatory comments by accessing instagram through her smart phone. The police further found out



that she was a trickster and arrested him from Indraprast on 20 Feb, 2023 and produced him before the Magistrate.

5. The prosecution sought remand for custodial interrogation of the accused to find out any motive of larger game plan to promote communal disruption in the State. The designated Authority of Government of Indus also issued a notice to instagram to completely remove this post and liked comments from the walls of all users who had shared it.
6. On 28 Feb, 2023, Zoish Irani files a petition before the High Court under Section 482, Code of Criminal Procedure, 1973 to quash the FIR against her. On 02 March, 2023 he filed a petition under Article 226 of the constitution of Indus alleging violation of her fundamental rights and alleging that the order of the designated authority was unconstitutional.
7. The High Court heard both the petitions together and dismissed the two petitions filed by Zoish Irani through the order dated 13 March, 2023 Zoish Irani approaches the Supreme Court challenging the decision of the High Court the case is listed for arguments before the Supreme Court of Indus on 7 April, 2023.

Issues:-

- 1- Whether Zoish Irani has committed any offence or not?
- 2- Is CPJ is involved in the sting operation or not.
- 3- Is any Fundamental Right of Zoish Irani is violated?
- 4- Is Mr. Mehul Mehndi is liable for the charges of corruption.

Note: Laws of India will be applicable on “Indus” state.

