

MOOT PROPOSITION

1- The Republic of Vikaastan is the largest democratic country in the world with 28 states and 8 Union territories. It is a sovereign, socialist and secular nation that aspires to build a fair and just society where everyone has equal opportunities to succeed.

2- The Constitution of the country indicates that the country has adopted federalism. The Constitution of the Republic of Vikaastan provides six Fundamental Rights including Right to Life and several other Human Rights and Statutory Rights which are at par with the International Documents including Universal Declaration of Human Rights etc. The Constitution also offers remedial measures for human right violations.

3- Bakul Tujaab is a citizen of Vikaastan. He belongs to the Darastipur city in the State of Minhar. He was a computer engineer specialising in Artificial Intelligence worked at Bodoluru city in the State of Barbetka, married Visita Tomania, who was also a woman of substance worked at Terracenture and was living in Prathnaraj city in the State of Manu Pradesh.

4- According to Visita, they met on a matchmaking website and her marriage to Bakul took place on April 26, 2019 and had a son the following year, but tensions escalated when her in-laws expressed dissatisfaction with wedding gifts and demanded an additional ₹10 lakh.

5- In April 2022, Visita filed multiple cases against Bakul, accusing him and his family of dowry harassment and assault. She claimed that Bakul began to treat the husband-wife relationship “like a beast” and would regularly beat her. The present application has been filed by the applicant at Station Kotwali, District Maunpur, pending before Chief Judicial Magistrate Court, Maunpur, Manu Pradesh.

6- In contrast, Bakul alleged that the Tomania family demanded ₹3 crore to withdraw legal cases against him and ₹30 lakh for visitation rights to see their son. He claimed that Visita had initially sought ₹1 crore in maintenance, later increasing this demand to ₹3 crore.

7- The Republic of Vikaastan is facing a constitutional and human rights dilemma following the tragic case of Bodoluru techie Bakul, who died by suicide after a prolonged and contentious divorce battle with his wife Visita. Bakul leaving behind a 24-page note and a 90-minute video which cites emotional distress stemming from alleged harassment from false accusation of cruelty, financial demands, and threats made by his estranged wife’s family. It is also mentioned in a suicide note that the lethargic approach of the judicial system contributed to the tragic suicide of Bodoluru techie Bakul Tujaab, highlighting critical flaws in timely justice, mental health support, and systemic accountability. On the other hand, Visita has vehemently denied these allegations and claims that she has been estranged from Bakul for almost three years.

8- An FIR was filed under Sections 108 and 3(5) of the BNS on 09-12-2024 by the brother of the deceased, Bakul Tujaab. The FIR alleges that the accused persons colluded and filed false cases against the deceased. However, they were later released on bail, raising concerns about the effectiveness of the legal process.

9- Public discourse following the incident highlighted irregularities in addressing allegations of harassment faced by men in matrimonial disputes and the lack of safeguards to prevent the misuse of legal provisions. This tragedy has led to debates about the need for legal reforms to ensure fairness and justice for all parties involved in such disputes. The incident emphasizes the necessity of balancing protections in matrimonial laws while preventing their misuse to cause undue harassment. It undermines the lack of gender neutral mental health support mechanism during such matrimonial dispute, become evident and hence needed.

10- To address the violation of fundamental and human rights, a Public Interest Litigation (PIL) filed before the Supreme Court of Vikaastan by Save Indian Family Foundation, non-profit, non-governmental organization that aims to strengthen the family system and support men facing domestic violence or trapped in false cases. This PIL would highlight the misuse of laws related to domestic violence and dowry harassment, which have adversely affected men's rights. The petition can be supported by several others men's rights NGOs.

11- The Supreme Court, clubbed all related petitions to ensure a comprehensive examination of the issues at hand. The intervention of Supreme Court is crucial to uphold the principles of justice and equality enshrined in the Indian Constitution.

ISSUES-

1- Whether the PIL filed by the Save Indian Family Foundation is maintainable?

2- Whether the allegations of false dowry harassment and domestic violence against the deceased constitute a misuse of provision of cruelty?

3- Whether delays and inefficiency in the judicial system violated the deceased's right to life & personal liberty and contributed to his mental distress and suicide?

4- Whether the Dowry Prohibition Act, 1961 and domestic violence provisions as implemented in the Republic of Vikaastan comply with the principle of equality under the Constitution?

Disclaimer

- a. This Moot Proposition is purely a work of fiction and resemblance to any such incidence shall be purely co-incidental.
- b. This Moot Proposition is purely intended for educational purpose.
- c. The Copyright shall be reserved with the Integral University, Lucknow.

Note

- a. The participants have to appear before the Supreme Court of Vikaastan and present their arguments at least on the above-mentioned four issues. They are free to challenge jurisdiction or add sub-issues, if required.
- b. Constitution of Vikaastan is analogous to Constitution of India and all laws in force in Vikaastan are pari materia to the laws in force in India.
- c. Each team has to prepare the Memorial/Written Submission from both the sides.
- d. Teams can seek clarifications, if any, within - days of release of the Moot Proposition, by sending an email to mcads@iul.ac.in.

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