

MOOT PROPOSITION

1. Zeina, a bustling metropolis, in the state of Ravia, Camril, is the heart of the entertainment industry, where dreams are made and broken. In this "City of Dreams," five ambitious friends, in 2015, set out to conquer the entertainment industry. These friends were Aisha Kapoor and Rhea Sharma, aspiring actresses, Arjun Mehra, a talented makeup artist, and Natasha and Vikrant, dedicated crew members to Aisha and Rhea, respectively. They supported each other as they navigated Zeina's competitive entertainment world.
2. On one of the days in January 2020, Aisha and Rhea were caught up in a scuffle the reasons of which were unknown to the rest. This led to the beginning of their rivalry.
3. By September 2023, Aisha and Rhea, now famous Bollywood actresses and fierce competitors, were cast together in "Midnight's Shadow," a ₹200 crore film by Sterling Productions. Aisha was given a more prominent role in the film, which ignited jealousy in the mind of Rhea. Despite their rivalry, they had to work together. Aisha, under immense pressure, started using opium to cope with stress.
4. On the night of December 15, 2023, Sterling Productions hosted a grand wrap party at the opulent Atlantis Beachfront Villa in Sector 16, Zenia. The event was attended by numerous film industry luminaries. Around 2:30 AM on December 16, 2023, security cameras captured Aisha entering a poolside area. A shadowy figure, approached her and handed her a jacket due to the cold weather. The figure's identity was obscured by the dim lighting and the person's hooded attire.
5. A scandal erupted when grainy footage of someone resembling Aisha allegedly using prepared opium surfaced on Instagame. The video went viral at 4 AM, rapidly spreading across social media platforms. Later, police officers received a tip and a video from an unknown source that showed an excessive amount of alcohol and illegal substances at that private party at around 5 AM.
6. The Zeina Police reached the area at 5:30 AM. Aisha was suspected during the investigation, and when officials searched her luggage, they found prepared opium in a jacket that she claimed wasn't hers. Aisha was arrested at 9:00 AM after the police finished their procedures, despite the fact that an opiates test revealed no evidence of opium in her system. For possessing the drugs in the jacket, Aisha was charged under the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985.
7. Aisha was charged under section 18 of the NDPS. After hearing the prosecution and the defence in the course of the trial, she got a bail from 2nd January 2024. However, on 20th January 2025, the Sessions court of Zeina convicted Aisha and punished her with 1 year imprisonment and 10,000 rupees fine. The Sessions Court reasoned that while the jacket

did not belong to Aisha but she was in possession and ownership is immaterial as long as there is possession of Narcotics. She has been in prison since the conviction.

8. The current case is set for an appeal in the High Court of Ravia against the conviction by the trial court of Zeina in the form of a Criminal Main Petition under section 36B of the Act.

Issues for Moot Court Competition:

1. Whether the present appeal is maintainable before the High Court of Ravia?
2. Whether the trial court has erred in convicting Aisha under section 18, NDPS?
3. Whether the Jacket contained Opium from before Aisha had the same?
4. Whether the evidence of Aisha's previous drug use was appropriately weighed against her current charges?

Note: 1. The laws of Cimril are Pari-materia to those of Republic of India.

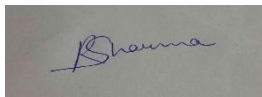
2. The participants are not at liberty to create new facts pertaining to the case.

ANNEXURE-1

MEMORANDUM OF RECOVERY

Following discovery is made from the information received from the accused Aisha Kapoor while he was in police custody.

1. The transparent bag found from possession of Aisha
2. The jacket of an XL size leather men's jacket which has inside pockets

A rectangular box containing a handwritten signature in blue ink that reads "Sharma".

Signature

Investigating Officer

Rajesh Sharma

ANNEXURE-2

FIRST INFORMATION REPORT (u/s. 173 of Bharatiya Nagrik Suraksha Sanhita)

FIR No.: 256/2023

U/s 1. Section 18 of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985

Date: December 16,2023

Time: 5:20AM

Police Station: Police Station Sector 17, Zenia

District: Zenia

State: Ravia

Complainant: SI Avinash Singh

Accused:

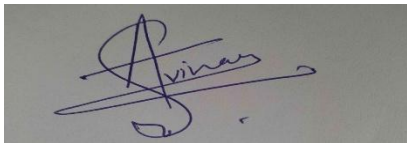
Sr.no.	Name	Address
1.	Aisha	#448, 14 th floor, Grand Box Apartments, Sector 45 , Zeina

Sections:

Sr. No.	Sections	Act
1.	18	Narcotic Drugs and Psychotropic Substances Rules, 1985

Statement:

I SI Avinash Singh was sitting at Police Station Sector 17, Zenia at 5:15 AM we received an information from an anonymous source that a private party was being hosted at Opulent Atlantis Beachfront Villa in Sector 16, Zenia where excessive amount of illegal substances were being consumed. I along with comrade police constables and lady police constable Aaina on Police Vehicle: Tada Storm bearing no. ZN 01 AB 2129 left for the aforementioned venue at around 5:25 AM. Upon reaching we met the venue owner Rahul from whom we got consent for a search. We then went to the hall where we found the accused Aisha with other attendees. My team informed them about investigation and demanded to search their belongings as well. Lady constable Aaina searched Aisha's belongings including the jacket she was wearing and found in its inner pocket a transparent bag containing a substance we suspected to be Opium. I sealed that transparent bag and the jacket in the separate bag and sent it via police constable Harpreet Singh to the lab for testing.



Signature

Sub Inspector

Avinash Singh

ANNEXURE-3

Digital Forensic Analysis Report

Item	Analysis
Security Footage	The Footage reveals that Aisha did borrow the Jacket from someone. There cannot be certainty as to who the person was but it would not be wrong to suggest that it was someone from the party as he seemed to be coming from the hall side.
Viral Video	The video that sparked the investigation is not conclusive proof because it is grainy. The video seems to be shot at night and multiple sharings has led to loss of data. Backtracking the video did not lead to any insider, it seems the video was not shared on social media by any of the party-goers. Location of viral video- Mystic Street, Sector 34, Zenia.



Signature

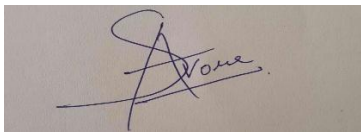
Digital Forensic Expert

Vikas Gupta

ANNEXURE-4

Forensic Analysis Report

Item	Analysis
The transparent bag	The transparent bag found from possession of Aisha was tested and they tested positive for Opium. The contents of the bag are definitely Opium.
Jacket	The jacket in question is an XL size leather men's jacket which has inside pockets. One of them has a few traces of the same Opium that was in the transparent bag.



Signature

Forensic Expert

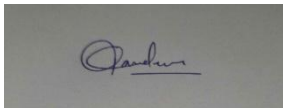
Saurav Arora

ANNEXURE-5

Opiates Test

Report by Dr. Mandy Agni

Accused Aisha was brought to me by Lady Constable Aaina at around 9:30AM in the morning and Aisha gave her Urine sample which was tested thoroughly for Opiates but none were found. It can be said with certainty that Aisha has not consumed any opium or related substances 72 hours prior to the test result.



Signature

Toxicologist

Dr. Mandy Agni

Prosecution Witnesses:

1. Constable Harpreet Singh (Witness for Forensic Evidence)

Testimony:

I Harpreet Singh, was assigned to deliver two sealed transparent bags containing the suspected opium and the jacket to the forensic laboratory. After the bag was sealed by SI Avinash Singh. I used a separate vehicle and took the bag to the forensic lab for testing at around 6:00AM. The contents were tested, and the laboratory confirmed that the substance in the bag was indeed opium.

2. Forensic Expert (Expert Witness)

Testimony:

I Saurav Arora, forensic expert with the Zeina Forensic Laboratory. On December 16, 2023, I received two sealed packages from Constable Harpreet Singh containing a transparent bag suspected to contain a narcotic substance and a jacket. After two to three hours of analysis using Thin-Layer Chromatography (TLC) and Gas Chromatography-Mass Spectrometry (GC-MS), we were able to determine that the material in the bag was opium alkaloids, including morphine and codeine. Additionally, traces of the same opium were found in the inner pocket of the leather jacket that was recovered from Aisha Kapoor.

3. Digital Forensic Expert

Testimony:

I Vikas Gupta a Digital Forensic Expert was tasked with examining the viral video that led to the investigation of Aisha Kapoor. The video was sent to us around 5:20 AM on December 16, 2023, and it appeared to show Aisha using opium at the Atlantis Beachfront Villa.

Upon investigation, we found that the video quality was poor, as it was grainy and blurry. It had been shared multiple times, leading to a loss of data, and there was no conclusive evidence from the video to identify the individual using the substance or the kind of substance being used. We backtrack the video to determine who initially posted it, the video did not lead to any insider, it seems the video was not shared on social media by any of the party-goers.

Defence Witnesses:

1. Aisha Kapoor (Accused)

Testimony:

I am Aisha Kapoor, and I stand before this court wrongly accused. On the night of December 15, 2023, I attended the wrap party for the film 'Midnight's Shadow' at Atlantis Beachfront Villa. During the party, I was feeling cold, and someone, who I do not know personally, gave me a leather jacket to wear. I noticed that the jacket was a little heavy and had something in the pocket but I had no idea that the jacket contained opium.

The next morning when the police arrived we were informed about investigation, and they asked to search my belongings. I cooperated fully and consented to the search. I was shocked when they found the opium in the jacket, as I had no knowledge of it being there.

I do not use drugs, and I was not under the influence of opium or any other substance at the time. The opiates test that I took later in the morning was negative, which proves that I had not consumed any opium. I am certain that someone planted the opium in my jacket to frame me.

2. Arjun Mehra (Defence Witness, Makeup Artist)

Testimony:

I am Arjun Mehra, a makeup artist, and I have worked with both Aisha Kapoor and Rhea Sharma on multiple projects. I have been part of the entertainment industry for several years, and I have witnessed the professional rivalry between Aisha and Rhea on set, especially during the filming of 'Midnight's Shadow.' It was no secret that Aisha's role in the movie was far more prominent than Rhea's, which caused some tension between the two.

On the night of the party at Atlantis Beachfront Villa, I was present with the crew. I did not see everything that transpired, but I do recall that Aisha was under a lot of pressure, as she was dealing with both the movie's success and the ongoing tension with Rhea.

I also know that there were moments when Rhea seemed particularly upset with Aisha, especially after Aisha's rising popularity and the attention she was getting in the media. While I have no direct proof, I cannot ignore the possibility that Rhea, who had the motive, might have known about Aisha's heightened anxiety and vulnerability thus could have sought to discredit her. Given the strained relationship between them, it's possible that someone with access to Aisha's belongings at the party could have planted the drugs in her jacket to frame her.

3. Natasha (Defence Witness, Crew Member of Aisha Kapoor)

Testimony:

I am Natasha, and I have been working with Aisha Kapoor as part of the crew on the set of 'Midnight's Shadow.' I have known Aisha for a long time, and I have never seen any indication that she has used drugs, including opium. She has always been diligent, focused, and professional in her work.

On the night of the party, I was with Aisha, and I remember her feeling quite anxious due to the stress of the movie. I do recall that someone gave her the jacket to keep warm. However, Aisha never expressed any knowledge of the jacket containing opium. I truly believe that she was targeted, and that someone planted the drugs in her jacket.

4. Vikrant (Defence Witness, Crew Member of Rhea Sharma)

Testimony:

I am Vikrant, and I have worked as part of Rhea Sharma's crew during the filming of 'Midnight's Shadow.' While I have no direct knowledge of the incident involving Aisha Kapoor, I am aware that tensions had been building between Aisha and Rhea due to their rivalry on set.

I do not wish to comment on the events that unfolded the party however I was informed by Natasha through a call that Aisha has been arrested. I had left the party at 3:00 AM as Rhea asked me to Drop her home in sector 34 after which I went back to my residence in Sector 37.