



Shri Vile Parle Kelavani Mandal's
Pravin Gandhi College of Law

8th Floor, Mithibai College Campus Vile Parle (W), Mumbai- 400056



MOOT COURT SOCIETY

FRESHERS' MOOT PROPOSITION- 2022

1. The Republic of Indiana is a mid-sized developing country in the continent of Azia. Indiana is a secular quasi-federal republic as laid down in its 1960 constitution. The prime minister along with its cabinet of ministers is responsible for deciding and supervising all military, economic and general policies of the republic. In the year 2010, the prime mister of Indiana introduced a new economic policy which proved to be disastrous. As a result of this economic policy, there was sharp increase in youth unemployment and inflation in the country hit an all- time high.
2. Antony Parker was born in Trombay city of Indiana in 1995. At a young age, he developed interest in performing in stand-up comedy after brief stints in college productions. He appeared on open-mic nights at various Improv Clubs around the city of Trombay while attending College. After graduation in 2015, he tried out at an open-mic night at the Ozark Club playing the character of an old actor who gives a social commentary on current affairs of the country. The clip of this open-mic night went viral on all the social media platforms and he became a media sensation.
3. Overnight all his shows were sold out. He was especially popular with the tech-savy younger generations who found his comedy routines extremely relatable and funny. His social media handles started getting a lot of young followers and due to his dry, sarcastic, funny videos on social media platforms-he developed a dedicated fanbase.
4. In June 2019, Antony posted a video recording of his new comedy sketch on Acebook. In the video, Antony is dressed up a out of work young actor who is angry with the government because of rising unemployment in the country. This video got 20 million hits on Acebook and got picked up by news channel.
5. In April of 2020, the entire republic of Indiana along with the rest of the world went into a lockdown caused by the spread of Covid-19 pandemic. The lockdown was lifted in December 2020. In January of 2021, Antony was performing at a college fest in front of a

crowd of 1000 students when the police came to the festival and arrested him for ‘exciting dissatisfaction towards the Government under Section 124 A of the Indiana Penal Code, section 269 of the Indiana Penal Code (unlawful or negligent act likely to spread the infection of any disease dangerous to life) and other relevant provisions. He was produced before the Sessions Court at Trombay and a bail was posted but the Magistrate rejected the contentions and bail was denied. To make matters worse, it was reported that officials had openly expressed the fact that they didn't have any evidence/video against the comedian and the Superintendent of Police Shruti Singh went on record to say that it didn't really matter if Antony had not made the jokes that were the basis for the arrests.

6. The bail application was produced before the High Court where it was rejected and Antony was sent to 2 weeks of judicial custody. Meanwhile an online petition was launched by his fans challenging the obsolete sedition laws in the country. The petition gained a lot of online traction and even caused small rallies of protest in colleges across Indiana. The admin of this online petition is a young college student leader, Sheela Rajawat who asserted that sedition laws of Indiana which was promulgated during the colonial rule of Indiana to tackle and control popular freedom fighters and that the current government was using it to stifle dissent against the economic policies of the government. In last three years, 5000 artists, comedians, actors and performer have been arrested on the same grounds as Antony. The admin of this petition was also arrested and sent to judicial custody for 14 days for inciting violence amidst student protests. Her bail was also rejected.
7. Antony Parker and Sheela Rajawat have filed a special leave petition under art. 136 of the constitution before the Hon'ble Supreme Court challenging the rejection of their respective bail applications as well as the constitutional validity of Section 124 A of IPC.

ISSUES:

- I. Whether bail should be granted to Antony Parker and Sheela Rajawat?
- II. Whether section 124A of the IPC is constitutionally valid?

GENERAL NOTE:

- All Laws of Republic of Indian are *pari materia* to the current case.