

Moot Proposition

Mr. Aarav Mehta and Mr. Kunal Shah, final-year law students at Aryavarta National University, were candidates in the Students' Council elections. Following the elections, disagreements arose between them over allegations of unfair campaigning. On 10 March 2026, during the University's Annual Cultural Festival, they encountered each other near the amphitheatre. A verbal argument soon escalated into a physical altercation. Witnesses differ as to who initiated the fight.

According to the prosecution, Aarav, enraged by the argument, picked up a wooden sports bat lying nearby and struck Kunal on the head with considerable force. Kunal collapsed and died the following day due to the head injury. The prosecution contends that the act amounts to murder under the Bharatiya Nyaya Sanhita, 2023.

Aarav contends that Kunal first assaulted him and that the incident occurred suddenly, without premeditation, in the heat of passion. He submits that he struck only one blow to repel the assault and had neither the intention nor the knowledge required to constitute murder. According to him, if any offence is made out, it would amount only to culpable homicide not amounting to murder under the Bharatiya Nyaya Sanhita, 2023.

The learned Sessions Court convicted Aarav for murder and sentenced him to imprisonment for life. Aggrieved by the judgment and sentence, Aarav has preferred a Criminal Appeal before the Hon'ble High Court of Aryavarta. The State opposes the appeal, contending that the nature of the injury and the manner of the assault clearly establish the offence of murder. The High Court has admitted the appeal for final hearing.

Issues raised

1. Whether the act of the Appellant amounts to murder or culpable homicide not amounting to murder under the Bharatiya Nyaya Sanhita, 2023?
2. Whether the present case falls within the exception of sudden fight under the Bharatiya Nyaya Sanhita, 2023?
3. Whether the learned Sessions Court correctly interpreted the concepts of intention and knowledge under the Bharatiya Nyaya Sanhita, 2023?
4. Whether the conviction and sentence imposed upon the Appellant are sustainable in law?

Statement of Jurisdiction

The present Criminal Appeal is instituted before the Hon'ble High Court of Aryavarta under **Section 415(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023**, challenging the judgment of conviction and order of sentence passed by the learned Court of Sessions. The Appellant seeks the setting aside of the conviction and sentence imposed for the alleged offence under the **Bharatiya Nyaya Sanhita, 2023**. Accordingly, this Hon'ble Court has the requisite appellate jurisdiction to hear, adjudicate upon, and decide the present appeal.

Statement of Facts

1. Mr. Aarav Mehta and Mr. Kunal Shah, both final-year law students at Aryavarta National University, developed differences following the Students' Council elections.
2. On 10 March 2026, during the University's Annual Cultural Festival, a verbal argument between them escalated into a sudden physical altercation near the university amphitheatre.
3. During the scuffle, Aarav struck Kunal with a wooden sports bat, resulting in a fatal head injury. The prosecution alleges that the act amounted to murder, whereas the defence contends that the incident occurred during a sudden fight without premeditation and, at the highest, constitutes culpable homicide not amounting to murder.
4. The learned Sessions Court convicted Aarav for murder under the Bharatiya Nyaya Sanhita, 2023, and sentenced him to life imprisonment. Aggrieved by the conviction and sentence, Aarav has preferred a Criminal Appeal before the Hon'ble High Court of Aryavarta.