

The Crime & Justice Gazette

NEWSLETTER BY GNLU CENTRE FOR RESEARCH IN CRIMINAL JUSTICE SCIENCES

“I want to clear my name, I want to say to the world, this is not true. I’m the biggest gentleman in the world”.

- The Tinder Swindler

“We are of the considered opinion that the wearing of the hijab by Muslim women does not form a part of the essential religious practice in Islamic faith.”

- The Karnataka High Court

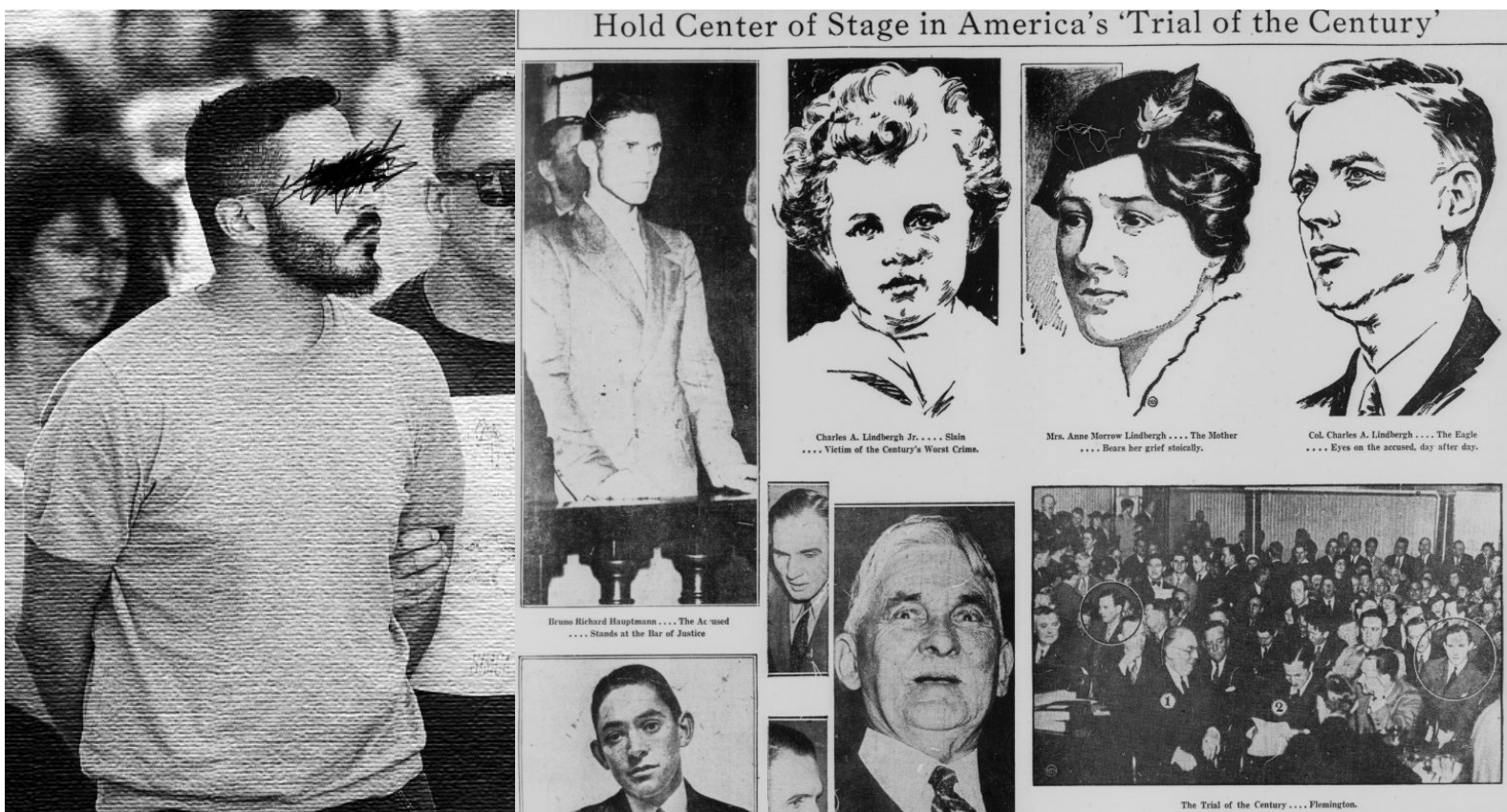


image source: vogue indie

image source: library of congress

On April 14, 2008, Shabnam sedated all members of her family, except her infant nephew. Saleem then hacked them all to death with an axe, while Shabnam throttled her nephew. At the time of arrest, Shabnam and Saleem were both in their mid 20s, and Shabnam was seven weeks pregnant. In December of that year, she gave birth to her son in prison.

- THE STORY OF SHABNAM: First woman who could be hanged to death in Independent India

MESSAGE FROM THE CENTRE-HEAD

May the truth always win and good triumph over evil.

It is my utmost pleasure to write this message in the fifth edition of the Crime and Justice Gazette, a newsletter by the GNLU Centre for Research in Criminal Justice Sciences. Truth, courage & bravery, these qualities are a must for every criminal case that is to be instituted, investigated and tried.

Our Hon'ble Director Sir, Prof Dr. S. Shanthakumar, who laid the foundation of this centre, two years before, made its mandate clear that GCRCJS should bring out study, research and training in every aspect of criminal justice and the present Newsletter, is one step ahead in the same direction.

This is the result of the hard work of our student team, which has infinite zeal and never ending motivation. I wish the team every success and also hope that this newsletter will fill the gap of information in the field of criminal laws for its readers. My best wishes to the student convener (Nihal), who has made this newsletter a reality, to the editors, to every team member as contributors, and every reader, who will let us know improvements and enable further excellence in this endeavor.



Dr. Anjani Singh Tomar

MESSAGE FROM THE TEAM

The GNLU Centre for Research in Criminal Justice Sciences, ever since its inception, is making continuous efforts to improve the culture of Research and Analysis in the field of Criminal Law and Justice System. The Centre has seen new heights in the past three months after the new team for the Academic Year 2021-22 was constituted. In the said time, we have managed to successfully conduct one National Essay Writing Competition; a Certificate Course on Cyber Crime, Cyber Forensics and Law (in collaboration with National Forensic Sciences University, Gandhinagar and Police Academia Interactive Forum); eight sessions of “Crime & Justice: A Discourse Series” on some of the pertinent topics having great contemporary relevance; several research posts for our instagram page. The centre provides a platform for a holistic research environment and aims to further knowledge and academic discussions about the multifaceted dimensions of criminal science.

GNLU Centre for Research in Criminal Justice Sciences is committed to achieving a goal of motivating law students to do research, especially in criminal law. And, for the same here we are with the fifth edition of our newsletter 'The Crime & Justice Gazette' which aims to cover contemporary developments as well as criminal law cases and events from the past.

We would like to express our heartfelt gratitude to our Hon'ble Director Sir, Prof Dr. S. Shanthakumar, for his unwavering support, as well as our Faculty Convenor, Dr. Anjani Singh Tomar, for believing in us and encouraging us to pursue our research in every possible direction.

Disclaimer

The authors' opinions expressed in the newsletter are their own, and neither GCRCJS nor GNLU is responsible for them. The case briefs solely summarise the current state of the cases' verdicts or orders, and do not cover anything with respect to future proceedings or appeals. The newsletter is only for internal circulation in GNLU and will be available on the GCRCJS official webpage on a later date.

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P R E F A C E

Criminal law is a dynamic study of law that undergoes development at every curve of dawn. This newsletter attempts to encapsulate the recent advancements in criminal law through various judgements, articles and reviews.

To begin with, the author has presented a comprehensive study of the *Zahira Habibulla H Sheikh And Anr v. State Of Gujarat And Ors (Best Bakery Case)*. The brief provides an in-depth examination of the judgement, as well as observations and case analysis. Several in-news case briefs on recent decisions and rulings have also been compiled in the Recent Developments section.

The newsletter elucidates on how two lovers Shabnam and Salim gruesomely murdered seven members of Shabnam's family because they objected to her union with Salim. It also features an in-depth article about the crafty conman Simon Leviev aka the Tinder Swindler who posed as a business tycoon's relative to swindle many women on the dating app, Tinder. We've also provided a review of the deadly movie "The Perfect Murder" starring Michael Douglas and Gwyneth Paltrow. A brief article on the current hot topic in the news "The Hijab Row" is available for your perusal. In addition, to raise your legal understanding, we have an article dedicated to drinking laws and crime-solving agencies around the world. A brief synopsis of two GNLU Center for Research in Criminal Justice Sciences' discourse sessions: the 6th chapter on regulating live in relationships and the 7th chapter on the validity of capital punishment is available. The fun doesn't stop there; there's also a mind-boggling legal riddle for you to solve! Also, don't forget to check the answer of last issue's legal crossword! Happy Reading!

RECENT DEVELOPMENTS

SWETHA SOMU AND SHREYA GUPTA

Kamruddin v. Union of India, MISC. (Criminal appeal No. 35531 of 2021)

In the Madhya Pradesh High Court

A 'spot' in regards to search and seizure of articles in NDPS Act means the place where the search was conducted and articles were recovered and not from the suspected person or vehicle.

Section 439 of CrPC, Sections 8/20, 25, 27(a), 28 read with Section 29 of NDPS Act, Section 52A, 37 of NDPS Act.

The applicants and co-accused in the related offense of carrying approximately 81kg of contraband (ganja) were caught by the police through a reliable informant. The vehicle and the accused persons were taken to a near-by police station where the search by the authorities was made and a seizure memo was prepared.

Applicants argued that the procedure under the NDPS Act was not found hence violating Section 52A of the NDPS Act. Moreover, the seizure was alleged to not have happened on the spot rather in the near-by police station and that the destruction of the contraband was also not done according to the procedure. Thus, the applicants claimed bail by referring to the SC judgment in Union of India v. Mohanlal and Anr.

Therefore, the court observed that there was no procedural flaw in the destruction of articles and that the Mohanlal case which was referred to by the applicant was also looked into. In the Mohanlal case, the court held that seizure should be conducted from the spot of recovery.

The court applied this ratio and held that in the present matter, the recovery was to be done in the near-by police station where all the other proceedings were to be done and not at the location where the vehicle was spotted. Thus, the bail applications were dismissed.

Geeta And Ors. v. State of U.P. and Anr., APPLICATION U/S 482 No. - 1230 of 2022

In the Allahabad High Court

Before the Magistrate issues the process under Section 204 CrPC, it is mandatory for the Magistrate to direct an investigation or conduct inquiry if the accused is residing beyond the jurisdictional area of the Magistrate.

Section 204 CrPC, 202 (1) CrPC, Section 482 of CrPC, Section 406 of IPC

The complainant alleged that the petitioners and her in-laws, mentally and physically harassed her and sent her back to her maternal home. After knowing that her in-laws were uninterested in reconciling with her and call her back to her matrimonial home, she requested them to return her 'Stridhan'. Failing to return it, the complainant moved the instant complaint. The petitioners were summoned by the Magistrate under Section 406 of IPC.

The petitioners challenged their summoning and requested the court to quash the same under Section 482 of CrPC. They contended that there was a violation of Section 202 CrPC because the Magistrate from Ghaziabad and the petitioners were in Bangalore. They alleged that the Magistrate failed to inquire or direct any investigation hence violating that section.

The court referred to both the cases of Abhijit Pawar v. Hemant Madhukar Nimbalkar and Anr., Vijay Dhanuka v. Najima Mamtaj and Sunil Todi v. The State of Gujarat held that the magistrate had violated Section 202(1) of CrPC as the enquiry/investigation is compulsory. Since the magistrate did not do so in this case, the impugned order was quashed under Section 428 of CrPC.

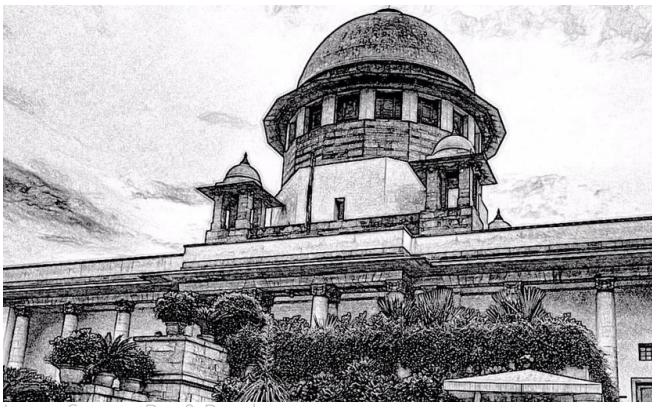


Image Source: Bar & Bench

Smruti Ranjan Mohanty v. State of Odisha, BLAPL No. 776 of 2021 & another connected case

In the Orissa High Court

Depriving the grant of bail must not be used as an indirect, alternative punishment before the conviction of the accused is confirmed.

Section 439 of CrPC

The respondent alleged that the petitioners along with other accused were alleged to have colluded together to evade taxes worth approximately Rupees 42 crores. This was done by running fake firms under wrong identity proofs. Thus, they should be liable to pay the evaded tax amount under **Section 132 of Odisha Goods and Services Tax Act, 2017.**

The petitioner states that the allegations were baseless and that there was no link between them to cause fraud. Moreover, the petitioners stated that they were being made scapegoats for the wrong acts of another and that their actions were bona fide. Hence requesting bail under Section 439 of CrPC from the court.

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The court referred to **Moti Ram v. State of M.P** and **Vaman Narain Ghiya v. State of Rajasthan** to discuss the significance of granting bail and the adverse consequences of denying the same. It pointed to the judgement in **Sanjay Chandra v. CBI** to hold that the “*deprivation of liberty must be considered a punishment unless it is required to ensure that an accused person would stand his trial when called upon*”. Moreover, the unreasonable detention of under-trial accused is contrary to **Article 21 of the Indian Constitution.** Thus the court granted bail under Section 439 of CrPC to the petitioners in this case.

Dr. Mohd. Ibrahim And Ors. v. State Of U.P. And Ors., APPLICATION U/S 482 No. - 4690 of 2021

In Allahabad High Court

The mere mention of Section 307 of IPC in charge-sheet or FIR cannot stop the parties from entering into compromise and settling the disputes.

Section 307 of IPC, Section 482 CrPC

The applicants and the opposite parties sought to resolve the dispute through compromise and hence filed an application under Section 482 CrPC to quash the charge sheet.

The court referred to the apex court case, **State of M.P. v. Laxmi Narayan**, which stated that offences under, for example Section 307 of IPC is grave and heinous and that it cannot be quashed under Section 482 of CrPC merely because of a compromise. However, the HC still has the discretion to look into this matter and decide if the incorporation of Section 307 of IPC is just there for sake of it or whether it is backed up by sufficient proof that is capable of leading to filing charges.

The court noted that the injury caused in this case is not grievous, thus concluding the nature of offense to be less serious. Further, the application of Section 482 of CrPC quashed the summoning order.

Guduridheeraj Kumar v. The State Of Andhra Pradesh

In Andhra Pradesh High Court

A man touching a woman when she's asleep constitutes as prima facie offense under Section 354A of IPC.

Section 498A, 354A, 506 of IPC and Sections 3, 4 of the Dowry Prohibition Act, Section 161 of CrPC

The woman had filed a case under Sections 498A, 354A, 506 of IPC and Sections 3 and 4 of the Dowry Prohibition Act. The original complaint was against her husband and his family for mental and physical cruelty by making illegal demands.

In her statement made under Section 161 of CrPC, she mentioned that the petitioner-accused is the brother of her husband and that he had sexually harassed her (by placing his hand on her while she's sleeping) when her husband and other family members were out of town.

The court held that placing hands on the complainant while sleeping prima facie constitutes an offense under Section 354A of IPC. "A reading of Section 354A of I.P.C. makes it clear that when a man commits an act of physical contact and advances involving unwelcome and explicit sexual overtures shall be guilty of the offense of sexual harassment." Thus the criminal petition was dismissed.

Nawabuddin v. State of Uttarakhand, 2022 SCC OnLine SC 161

In the Supreme Court of India

POSCO offenders do not deserve leniency, "a message must be conveyed to the society at large".

Section 376(2)(i) of Indian Penal Code,

1860, Sections 5 and 6 of the Protection of Children from Sexual Offences Act, 2012.

The accused was an approximately 65-year-old man who took advantage of the absence of the parents of his four-year-old neighbour when her mother went to fetch water and her father was out for work. He committed aggravated penetrative sexual assault on her. He was spotted by some persons naked in the process of raping the victim girl and was caught red handed.

The two-judge bench observed that any act of sexual assault or sexual harassment on a child should be viewed very seriously and all such offences of sexual assault and sexual harassment subjected on the children have to be dealt with in a stringent manner. No leniency should be shown to a person who has committed an offence under the POCSO Act.

It was also observed by the Court that by awarding a suitable punishment commensurate with the act of sexual assault/harassment, a message must be conveyed to the society at large that, if anybody commits any offense under POCSO including sexual assault, sexual harassment, and audios of children for pornographic purposes, they shall be punished suitably and no leniency shall be shown.

In the present case, the Court observed that the act committed by the accused demonstrated his mental state and it was a case where "trust has been betrayed and social values are impaired". The Court was of the opinion that the accused does not deserve any sympathy/leniency. The punishment provided for the offence at the relevant time was ten years rigorous imprisonment which may extend to imprisonment for life.

However, considering that the accused was now aged approximately 70 years and was suffering from Tuberculosis, it was opined that if the life sentence was converted to fifteen years rigorous imprisonment and the fine imposed was maintained, it would be adequate punishment commensurate with the offence committed.

State of Maharashtra v. Mahadev Ramu Takkekar, Criminal Appeal no. 56 of 2021

In the High Court of Bombay

In a case of voluntarily causing grievous hurt with the use of 'khurpi', the accused is to be punished under Section 325 and not Section 326 of the IPC.

Section 326, 325, 324, 323, 504 read with Section 34 of the Indian Penal Code, 1860

The land of the accused persons i.e., Mahadev Ramu Takkekar and Shankar Ramu Takkekar was adjacent to the land of the complainant. The complainant and his family members used to go to their field for agricultural work through the land of the accused. The accused did not allow the same leading to a dispute between the two parties. On 15 July 1998, the accused persons went to the field of the complainant and started abusing and beating him.

While the accused did not come prepared to assault PW1, he gave him a blow using a 'khurpi' i.e., sickle which is readily available in an agricultural field for removing grass etc. A charge-sheet was filed against the accused persons for offences punishable under Sections 326, 25, 324, 323, 504 read with 34 of IPC, 1860.

After perusal of the entire evidence on record and in particular medical evidence, the trial court had reached the conclusion that the ingredients of Section 326 of IPC were not attracted and rather, ingredients of Section 325 of IPC became relevant with respect to the facts of the case. Accordingly, the accused was convicted of offences punishable under Sections 325, 324, 323 read with 34 of IPC, 1860. Importantly, the High Court held that the trial court's decision was plausible, reasonable and in consonance with the evidence.

With respect to this appeal preferred by the State on being aggrieved by the decision of the trial court to acquit the accused for offences punishable under Sections 326, 504 read with 34 of IPC, the Bombay High Court thus held that in a case of voluntarily causing grievous injury, the accused shall in fact be punished under Section 325 of IPC and not Section 326 of IPC.

Israil v. State of W.B., 2022 SCC OnLine Cal 209

In the Calcutta High Court

The girl's complaint is vital to form basis of conviction when subjected to penetrative sexual assault by a man as a minor.

Sections 376(2)(i), 448 and 506 of the Indian Penal Code and Section 4 of POCSO Act, 2012

The appellant was a routine visitor to the victim girl's house and used to refer to her as his granddaughter. He took advantage of the absence of other family members and trespassed into the house of the victim. He forcibly committed rape on her repeatedly on different occasions, continuing for over 6-7 months. During the period of occurrence, the victim girl was aged just above 14 years. The victim herself had lodged the written complaint, categorically stating that the appellant committed rape on her several times. When she protested, the appellant threatened to kill her and her family members.



Image Source: India Today

The division bench of the High Court remarked that in a case relating to sexual assault and rape, the evidence of victim girl is vital and if found reliable, it can form the basis of conviction of the accused without seeking for further corroboration.

In the present case, the court noted that there were no material contradictions or contrary circumstances to disbelieve the evidence of the victim girl. Further, the Court opined that the girl's evidence could be considered reliable to act upon as it was consistent with the fact that appellant committed forcible rape on her.

Moreover, it was clear from the evidence on record that the victim was 5-6 months pregnant at the time of lodging of the complaint and though the investigation agency did not conduct any DNA test, that couldn't form a ground to discredit the testimony of the victim.

The High Court expressed that it was not unmindful of the social stigma attached to the nature of the offence and that the same could have been attributed to the delay in lodging of the FIR. Since rape was committed on the minor victim, as per the defining provisions of the IPC, the consent of the victim became immaterial. The conviction of the appellant by the trial court was upheld and the High Court held that a term of 14 years of rigorous imprisonment would be commensurate with the nature of the offence.

Furthermore, there was also evidence of trespass into the house and subsequent threatening of killing the victim and her family members and so the ingredients of Section 448 and Section 506(II) of IPC were also established.

Asif v. State (NCT of Delhi), 2022 SCC OnLine Del 270

In the High Court of Delhi

In the absence of proof by the prosecution, a blade would not be covered under Section 397 of the IPC as a deadly weapon.

Sections 397, 392 and 34 of Indian Penal Code.

The complainant stated that the appellant and the co-accused committed robbery of his mobile phone from his possession by showing him a deadly weapon, that is the blade. An FIR was thus registered for the offence punishable under Sections 392, 397 read with Section 34 of the IPC, 1860.

The High Court held that it is trite law that even if the weapon of offence is shown for running away with the snatched article after the snatching had taken place, an offence under Section 397 of the IPC is attracted. It was affirmed that if the offender uses the deadly weapon at the time of committing robbery or dacoity which would include even the fear of instant death or instant hurt/wrongful restraint or an attempt to cause death or hurt or wrongful restraint even while carrying away or attempting to carry away the property obtained by theft, the act of the offender will fall within the four corners of Section 397 of IPC. The submission that Section 397 of IPC will not be attracted as the blade was allegedly shown after the robbery took place was thus rejected by the High Court. Further, the Court expressed that whether the weapon of offence was deadly or not is a question of fact and that would depend on the nature of the weapon used.

In the present case, the prosecution's evidence was that the appellant took out a blade and kicked the complainant. The Bench held that it is not essential that weapons of offence should be recovered to prove the nature of weapon used. Moreover, the prosecution is required to prove the nature of the weapon of offence used especially in a case of knife or blade. Since from the evidence of prosecution, the size and sharpness of the blade was not established in the present case, the use of a deadly weapon could not be proved. Thus, the conviction under Section 397 of IPC could not be sustained and was required to be modified to an offence punishable under Section 392 of the IPC.

Nandu Dada Survase v. State of Maharashtra, Criminal Appeal No. 1106 of 2012

In the High Court of Bombay

The husband would be convicted for culpable homicide and not murder when the wife subjected him to public humiliation resulting in the said assault by him.

Section 300, 302, and 304(II) of Indian Penal Code.

A report had been lodged back in 2009 by a Narayan Salunkhe alleging that his daughter (deceased) was married to the appellant for almost more than fifteen years and due to a discordant note, she had started residing with her parents. On one occasion, while she went to visit her sister, her husband abused and assaulted her on the bus stop.

It was noticed that the deceased had sustained an incised wound on her neck due to which she succumbed to the injuries. A crime was thus registered for the offence punishable under Section 302 of the IPC. Importantly, the deceased had not just obstructed the appellant's way by holding his neck and pulling his shirt but had also started hurling abuses and had levelled scathing remarks affecting the self-esteem of the accused and leading to his humiliation in public.

In the present case, the High Court affirmed that the loud allegations made by the deceased were heard by one and all and it was quite natural for the man to feel ashamed upon being referred to as impotent. The bench observed that the act was not premeditated and the incident was an outcome of a grave and sudden provocation. The accused was deprived of his self-control and the offence committed by him fell under Exception 4 to Section 300 of IPC. It was held that the appellant thus deserved to be convicted for the offence punishable under Section 304(II) of IPC to serve the ends of justice.

**ZAHIRA HABIBULLA H SHEIKH AND ANR V. STATE OF
GUJARAT AND ORS
(APPEAL (CRL.) 446-449 OF 2004)**

A Case Comment by: ANYA DENISE ARANHA

In the Supreme Court of India

Criminal Original Jurisdiction

(Appeal (Crl.) 446-449 of 2004)

Petitioner: Zahira Habibulla H Sheikh and
Anr.

Versus

Respondent: State of Gujarat and Ors.

Bench - (2) Doraiswamy Raju, Arijit Pasayat

Number of Opinions - 1

Nature - Unanimous

Date of Judgement - April 12, 2004

Case Status - Disposed and Not Overruled

INTRODUCTION

Zahira Habibulla H Sheikh And Anr v. State Of Gujarat And Ors is also known as the “*Best Bakery case*” or the “*Tulsi Bakery case*”. It is an infamous legal suit that is believed to stem from the revenge of the Godhra train massacre. It is often used as a symbol of the deadly 2002 Gujarat riots. The 20 year old Best Bakery case is centered around the act of arson - a small bakery located in the Hanuman Tekri area of Vadodara in Gujarat was burned to ashes on the 1st of March, 2002 after bakery goods such as flour were looted from the premises. This bakery was owned by the Sheikh family who also resided there. The 14 victims of this act of arson were 11 Muslims (including members of the family) and 3 Hindus (bakery employees).

FACTS OF THE CASE

On the 27th of February, 2002, 56 karsevaks were charred to death in a communal attack of arson in Gujarat’s Sabarmati express train. Soon after that, on the 1st of March, 2002 at around 8 p.m. in an act presumed to be that of vengeance, the Sheikh family’s bakery “Best Bakery” in Vadodara, Gujarat was robbed and set alight resulting in the death of 14 people, most of whom belonged to the Muslim community. The first appellant and prime witness, Zahira Habibullah claimed that she had seen 14 people burnt to death.

In June 2002, a charge sheet was filed. However, during the trial, most of the witnesses including Zahira, retracted their statements given during the investigation. In court, Zahira claimed that she was on the terrace during the incident and had not seen the people who set fire to Best Bakery. Due to the changed statements of the witnesses and lack of evidence, the trial court acquitted the accused. In light of this, Zahira expressed that there was a faulty investigation, a perfunctory trial and that the decision of the trial court defeated the very purpose of justice. When she approached the National Human Rights Council, she alleged that she had been pressurized by politicians in power to turn hostile and depose false statements. Therefore, there was a widespread impression that the trial court’s decision was “biased” and therefore, “a grave travesty of justice”.

When they appealed before the Gujarat High Court, it was rejected. The Gujarat state government then petitioned the High Court to allow a retrial of the case on the grounds of “additional evidence found under Section 391 of

the Criminal Procedure Code (CrPC)". This was also rejected. An alternate route was taken to "re-examine the witnesses under Section 311 of the CrPC" but in vain.

Finally, a Special Leave Petition was filed by the National Human Rights Council along with another organisation, Citizens for Justice and Peace, and Zahira Habibullah in the Supreme Court. This petition was considered under Article 32 of the Indian Constitution and was hence accepted.

ISSUES RAISED

The questions that were raised during this case were -

- Whether there existed protection of witnesses?
- Whether the quality of evidence placed before the court was credible?
- Whether the trial was conducted properly by the public prosecutor?
- Whether the investigating agency had played its role fairly?

Whether the demand for a re-trial should be entertained?

ARGUMENTS ON BEHALF OF THE PETITIONER

The appellants (State of Gujarat and Zahira Habibullah) demanded a re-trial on the grounds that:

- During the trial, witnesses had retracted their statements and turned hostile as opposed to their behavior while the investigation was going on. Out of 7 injured witnesses, 4 retracted their statements. The appellants' contention here was that such a case can be reasonably suspected to be coercion or a threat to safety. A suspicion of this kind should have prompted the public prosecutor to inform the court or offer witness protection. However, he did nothing of this kind. Further, the public prosecutor did not examine the injured witnesses.



Image Source: Shutterstock

- In an affidavit, Zahira Sheikh claimed to have been pressurised by powerful politicians to turn hostile. In spite of being the star witness, she was not offered any witness protection by the public prosecutor.
- The appellants felt that the trial court should have entertained the petition under Section 311 of the CrPC and re-examined the witnesses. They also felt that the trial court did not use its powers granted to them under Section 167 of the Indian Evidence Act, 1872 which thereby resulted in a miscarriage of justice.

FINAL VERDICT

On behalf of Justice Doraiswamy Raju and himself, Justice Arijit Pasayat authored the judgement -

- Regarding the public prosecutor's conduct.

The court was of the opinion that the public prosecutor had failed to perform his role honorably. He did not offer the witnesses protection despite the fact that he could have tried to keep their identities anonymous or tried for in-camera trials. The public prosecutor also failed to approach witnesses who were injured. He even cited mental instability as a ground for dropping an important witness from the trial. This removal of the witness was very casually accepted by the trial court and no efforts were made to find out whether the witness was really

mentally unstable. Many other witnesses were also dropped without adequate justification.

- Regarding the role of the investigating agency

The court held that the investigation was “perfunctory and not impartial”. According to the learned judges, the investigating agency had not followed the procedure prescribed under the Indian Evidence Act, 1872 and hence, their investigation was not bonafide.

- Regarding a free and fair hearing

The court took recourse to the principle of “audi alteram partem”, i.e., the right to a fair hearing. It invoked the principles of natural justice and Articles 14 and 21 of the Indian Constitution. They said that “the due process of law must not be flouted by a predefined biased trial”.

- Regarding a fair trial

The court remarked that the main purposes for which courts of justice were established were “discovery, vindication and establishment of truth”. They explained that a fair trial would mean “a trial before an impartial judge, a fair prosecutor and atmosphere of judicial calm”. In addition to this, they stressed on the importance of witnesses who according to Bentham are the eyes and ears of justice. Therefore, the court held that there was no fair trial and hence, there was no acquittal of the accused in the eyes of the law.

- Order for re-investigation under Section 173(8) of the CrPC

Since the trial was agreed to be “tainted, biased and unfair”, the court ordered that the DGP of Police, Gujarat was to monitor the re-investigation.

- Transfer of the case to the Bombay High Court

The court ordered the case to be transferred for re-trial to the Bombay High Court under Section 409(1) of the CrPC.

- Protection for witnesses

The court ordered the state of Gujarat to

provide protection for the witnesses.

Upon the request of the witnesses, the state of Maharashtra is also liable to provide protection to them. In addition to this and contrary to popular practice, the witnesses were also allowed to have a say in choosing the public prosecutor.

- The High Court’s decision to dismiss the appeal without sufficient reasoning was not acceptable

The court held that dismissal of the appeal by the High Court who said that the reasons for the same would be given later due to “paucity of time because of the court’s winter vacation” was unacceptable.

Thus, the Hon’ble Supreme Court held that the trial court’s judgement was inconsistent with the spirit of law and ordered a re-trial at the Bombay High Court.

CASE COMMENT AND CONCLUSION

The Best Bakery case is a classic example of how coercion and threats, and even improper conduct by the facilitators of justice themselves can act as stumbling blocks in the quest for justice. It is a landmark judgement that shows how a lack of transparency can lead to interference in the procedure of law itself, thereby wasting the court’s precious time. The Supreme Court, in its erudite judgement, has left no stone unturned to ensure a fair and free re-trial, even allowing the witnesses themselves to have a say in choosing the public prosecutor.



Image Source: News18

In a nutshell, this judgement of the Supreme Court is consistent with the spirit of law and upholds the essential principles of natural justice as well as the right to equality and life that is guaranteed under our constitution.

Amnesty International hits the nail on the head when it remarks that it is a case where “strong evidence of the accused existed but little justice was gained by the victims”. However, according to Amnesty International reports, many other cases during the 2002 Gujarat riots like the Best Bakery case faced problems of problematic recording of complaints, failure to record statements of witnesses and usage of them as proper evidence, and failure to investigate key suspects. This is highly unfortunate and stands testimony to what the Best Bakery case would have become had the Supreme Court not decided the case in an impartial and unbiased manner. In this light, the Best Bakery case is truly a landmark judgement.



Image Source: Britton and Time Solicitors

HIJAB CONTROVERSY

BHANUPRATAP SINGH RATHORE

The recent Hijab Ban controversy that erupted in Colleges of Karnataka, started when six female students of PU college of Udupi claimed that they were not permitted to enter classrooms wearing hijab. As a result of this ban, they started protesting against college authorities, which eventually turned into a significant turmoil. The protest soon spread to other colleges in Karnataka and parts of other Indian cities. According to the principal of Udupi College – *“The institution did not have any rule on Hijab-wearing as such and no one used to wear it to the classroom in the last 35 years. The students who came with the demand had the backing of outside forces.”* The matter soon reached the High Court under Article 14, 19, and 25 of the Constitution of India and also to the Supreme Court (but the SC denied entertaining the plea on the ground that the same is pending before the High Court). Earlier the matter was listed before a single judge bench comprising of Justice Krishna S Dixit in Karnataka High Court, which was later transferred to a larger bench of three judges, including the Chief Justice. As of now, the High Court has passed an interim order, restraining all the students from wearing saffron shawls, scarves, hijab and any religious flag within the classroom.

It is the case of the state government that the Hijab Ban is justified under its 1983 Education Act. In an order dated 05.02.2022, it explicated that under Section 133 of the act, the government reserves the right to issue appropriate directions to schools and colleges to ensure maintenance of public order. The Karnataka government placed reliance on the case of Asha Ranjan and others v. State of Bihar and others, wherein it was held that individual interest must yield to the larger public interest.



Image Source: Zee News

Thus, disputes over conflicting rights can be addressed by preserving the greater right to remain and live together peacefully, to maintain such ties amongst institutions and students, rather than undermining individual rights. On the other hand, the Muslim girls claimed that hijab is intrinsic to Islam and is an “Essential Religious Practice” and by imposing this ban, the state is denying them their fundamental rights. The matter is *sub-judice*.

Q. What is “Essential Religious Practice?”

In layman language, ‘Essential Religious Practice Test’ is a set of standards devised by the Supreme Court to decide what set of practices in a religion are essential to it that needs constitutional protection and what set of practices can be neglected to serve larger public interests. In 1954, the SC held in the Shirur Mutt case (This shall be written as ‘The Commissioner, Hindu religious endowments, Madras v. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt’) that the term ‘religion’ will include “all rituals and practices” which are “integral and intrinsic” to a religion.

Past Cases where the courts have faced similar situation.

- **Fathima Thasneem v. State of Kerala (2018 SCC OnLine Ker 5267)**

In this case, the petitioner challenged a

Convent School’s (in which his two daughters studied) decision of denying wearing full-sleeved shirts and headscarves in school premises as it was against the school’s prescribed uniform. In this case, The Kerala High Court decided in favor of the school as the court was of the opinion that school is a minority educational institute and its ‘collective rights’ must prevail over ‘individual rights’ of the students.

- **Fathema Hussain Sayed v. Bharat Education Society And Ors (AIR 2003 Bom 75)**

In this case, the petitioner (a minor girl) had challenged the uniform code of an all-girls school, which did not permit headscarves. The Bombay High Court decided against the petitioner as the court was of the opinion that according to the relevant verses on hijab in Quran, it is nowhere written to cover one's head in front of other women. Thus, the court dismissed the petition.

- **Nadha Raheem v. CBSE (2015 SCC OnLine Ker 21660)**

In this case, the petitioner challenged the dress code (“half sleeve kurta/salvar”) prescribed by the Central Board of Secondary Education for the All India Pre-Medical Test (AIPMT). The Kerala High Court was of the opinion that India has a varied and diverse culture and in that case, failure of following a particular dress code and prohibiting such student from sitting in exam will not be constitutional. The court held that it would not put a blanket ban, on the contrary students who wish to wear dress other than prescribed dress code must present themselves before the authorities a certain time before the examination for proper checking and in case of suspicion, the student must subject him/herself to checking as required by the invigilator.

- **Amnah Bint Basheer v. CBSE [2016 (2) KLT 601]**

This case is similar to the above-discussed Nadha Raheem case. In this case, the petitioners challenged the dress code (“Light clothes with half sleeves not having big buttons, brooch/badge,

flower, etc. with Salwar/Trouser”) for the AIPMT exam on the grounds that it violated their rights under Article 25(1) of the constitution. The Kerala High Court subtly indicated towards hijab being an essential practice of Islam by saying that – “*it is a farz (obligation) to cover the head and wear the long-sleeved dress except for the face part and exposing the body otherwise is forbidden (haram)*”. The court also added that this understanding might vary while reading the opinion and beliefs of other scholars and believers of Islam. The court ruled that the board’s decision was not premised on any reasons on which the right to religion could be regulated. Further, the court allowed the authorities to check students (including removing headscarves) to avoid malpractices in the examination.

From the above cases, it is clear that the present hijab ban controversy has presented an unprecedented question in front of the courts which has taken “*questioning of the practice of Hijab*” at a higher level. The above cases cannot not be equated with the present controversy but it cannot be observed that the courts have never decided on essentiality of *hijab* in Islam explicitly. While the court has allowed hijab in many cases, it has also taken care of the interests of other parties and provided an amicable solution. The present matter is sub-judice and the court will decide on the issue considering all the relevant factors like public morality, law and order, right to religion, rights of institution and essentiality of *hijab*.

DRINKING RIGHTS

VAIBHAV KESARWANI

The laws against liquor consumption vary from state to state. The list below gives a state wise segregation where the legal age for alcohol consumption is 18, 21 and 25 years respectively. Additionally, there are some states where alcohol consumption is declared illegal for controlling crime rates, and other varied reasons.

States in which liquor consuming age is 18

- Andaman Nicobar Islands
- Himachal Pradesh
- Kerala
- Mizoram
- Pondicherry
- Rajasthan
- Sikkim

States in which liquor consuming age is 21

- Andhra Pradesh
- Arunachal Pradesh
- Assam
- Chhattisgarh
- Dadra and Nagar Haveli
- Daman and Diu
- Goa
- Jammu and Kashmir
- Jharkhand
- Karnataka
- Madhya Pradesh
- Orissa
- Tamil Nadu
- Telangana



Image Source: LawRato

- Uttar Pradesh
- Uttarakhand
- Tripura
- West Bengal

States in which liquor consuming age is 25

- Chandigarh
- Delhi
- Haryana
- Meghalaya
- Punjab

States in which liquor consumption is illegal
These are the states which are known as 'DRY STATES'. The sale and consumption of alcohol is banned in over 6 states of India which totally restrict the sale, consumption and even possession of the liquor.

- Bihar
- Gujarat
- Lakshadweep
- Manipur
- Nagaland

Liquor Consumption law in Maharashtra

Wine can be consumed at any age in Maharashtra, while for beer consumption the legal age is 21 and for other intoxicants or liquors the legal age is 25.

CRIME-SOLVING AGENCIES AROUND THE WORLD

DEV SHROFF

There are several intelligence agencies across the world that specialize in specific areas. The purpose of having a single agency for each location is to have a specialized bureau that can go in-depth and acquire information while also providing security and preventing crimes. These organizations were formed in reaction to a lack of knowledge and specialization. These agencies have vastly improved over time and have prevented several adverse situations that the average person is unaware of. The only goal of these

agencies is to keep us safe and secure.

RAW - Research and Analysis wing INDIA

RAW is primarily concerned with external affairs. The agency's main focus is to monitor the movement and activities of its neighbours, especially China and Pakistan. RAW and Pakistan's spy agency ISI, have been engaging in covert operations against one other for over three decades. RAW also helped the government conduct nuke tests with absolute secrecy. RAW also found out about Pakistan's main nuclear weapons laboratory, Kahuta. The ongoing dispute in Kashmir continues to fuel these clashes, but experts say Afghanistan may be emerging as the new battleground. Islamabad sees India's growing diplomatic initiatives in Afghanistan as a cover for RAW agents working to destabilize Pakistan.

ISI (Inter-Services Intelligence)

PAKISTAN-ISI is Pakistan's most important intel agency. The organization is so powerful that it practically runs the country, along with the army. It is often rated among the top intel agencies in the world. Throughout the years, the ISI has acted as the backbone of the Pakistan government. The defeat of the USSR in Afghanistan is often considered as its most important victory.

MOSSAD: Mossad Merkazi le-Modiin ule-Tafkidim Meyuhadim, Central Institute for Intelligence and Special Operations ISRAEL.

The agency has been a part of some of the most daring undercover operations the world has ever seen. It is often believed that it is because of Mossad that Israel is still able to hold its ground. During their famous Entebbe Rescue, all the Mossad agents dressed up as Ugandan soldiers and one agent was even made to look like the president of Uganda, Idi Amin. They created a perfect replica of Amin's motorcade. They freed all the Israelis and even destroyed many Ugandan Jets.

CIA: Central Intelligence Agency USA

The CIA is often considered as the reason behind America's domination over the world. The agency plays a vital role in maintaining America's position as a superpower. Operation PBSUCCESS, in which US-backed rebels overthrew the democratically elected president of Guatemala, and the assassination of Osama, are some of its major successes.

MI6: Military Intelligence section 6 ENGLAND

The MI6 is one of the oldest existing intelligence agencies in the world. The agency has been operating even before World War I. The agency is often considered to be the reason for Britain's victory in the World Wars.

MSS: Ministry of State Security CHINA

It is the security and intelligence agency of China. It is headquartered in Beijing and has 17 known bureaus or divisions, including a counterintelligence division and a social research division. The agency is also responsible for handling internal opposition and anything that might cause citizens to rebel against the ruling Communist Party.



Image Source: NewsD

Landmark cases of FBI

• FBI's first major case

At about 9 p.m. on March 1, 1932, a ladder was leaned up against the home of famed aviator Charles Lindbergh and his wife Anne near Hopewell, New Jersey. Within minutes, their 20-month-old son was gone.

What followed was a massive investigation, led by the New Jersey State Police. The kidnapper left a ransom note on the nursery windowsill demanding \$50,000. The clumsy, misspelled handwriting of the note, and of the ones that followed, were reproduced and widely distributed on posters to law enforcement.

In September 1934, when a prime suspect named Bruno Hauptmann was arrested, samples of his handwriting were flown to Washington, D.C. where they were closely examined by the FBI Laboratory and compared to the ransom notes. The analysis revealed a match: the samples were remarkably similar in personal characteristics and writing habits. That work was vital in the eventual conviction of Hauptmann.

• 9/11 Investigation

The attacks of 9/11 were the most lethal terrorist attacks in history, taking the lives of 3,000 Americans and international citizens and ultimately leading to far-reaching changes in anti-terror approaches and operations in the U.S. and around the globe.

FBI's ensuing investigation of the attacks of 9/11—code-named 'PENTTBOM'—was one of the largest investigations ever. At the peak of the case, more than half their agents worked to identify the hijackers and their sponsors and, also worked with other investigating agencies, to head off any possible future attacks. They followed more than half a million investigative leads, including several hundred thousand tips from the public. The attack and crash sites also represented the largest crime scenes in FBI history.



Image Source: Wikipedia

- **Anthrax Investigation**

Soon after the terrorist attacks of 9/11, letters laced with anthrax began appearing in the U.S. mail. Five Americans were killed and 17 were sickened in what became the worst biological attacks in U.S. history. The ensuing investigation by the FBI and its partners—code-named ‘Amerithrax’—has been one of the largest and most complex in the history of law enforcement.

In August 2008, Department of Justice and FBI officials announced a breakthrough in the case and released documents and information showing that charges were about to be brought against Dr. Bruce Ivins, who took his own life before those charges could be filed. On February 19, 2010, the FBI formally closed the investigation into the 2001 anthrax attacks.

CONCLUSION

Crime agencies are entrusted with acquiring intelligence, engaging in different sorts of espionage, advising the government on national security issues, disseminating false information, and, in certain cases, carrying out killings. These organizations are incorporated on a strong desire to solve issues around the world with precision and maintain peace. Espionage, communication surveillance, cryptanalysis, collaboration with other organizations, and review of public sources are examples of subtle and overt methods of acquiring information. For every nation, security is a key priority, and high-level intelligence plays a critical role in achieving that goal.

THE STORY OF SHABNAM: First woman who could be hanged to death in Independent India

VAIBHAV KESARWANI

Ever been in the dilemma of choosing between your love or your family? That’s what Shabnam had to go through, which gave rise to the horrific April 2008 Familyicide. After her family objected to her connection with Salim, Shabnam, along with her lover, murdered seven members of her family: her mother, father, two brothers, sister-in-law, cousin, and 10-month-old nephew. If executed, Shabnam will be the first woman to be hanged for a crime in independent India.

BACKGROUND OF THE CASE

Shabnam was a double MA in English and Geography and taught in the Amroha village’s primary school. Her family was the most educated family in the village, with her father being called *Masterji*, and her eldest brother was an engineer in Jalandhar. On the other hand, Salim was a daily wage worker who worked outside Shabnam’s home in a wood sawing unit and was a Class VI dropout.

They fell in love with each other and decided to get married, however, Shabnam’s family refused the marriage due to him being from a different caste and not educated enough to look after Shabnam. There was a series of arguments in the house, and Shabnam was strictly told to stay away from Salim. This increased the hatred in Shabnam and her love towards her family which gave rise to one of the most brutal murder incidences in India. On the 14th and 15th of April, 2008, the most heinous of killings took place at Bawankhedi, a village in the Hasanpur tehsil of Amroha in western Uttar Pradesh.

On the night of the incident, Shabnam was with her 7 family members at home. She offered them sedated milk which made them unconscious.

Afterwards, she along with Salim, entered her house, slit the throats of six of her family members, namely, Shabnam's father Shaukat Ali, 55, mother Hashmi, 50, elder brother Anees, 35, and wife Anjum, 25, younger brother Rashid, 22, and cousin Rabia, 14 and afterward, throttled her 10-month-old nephew to death.

When the police investigation started, she told them that on the night of the incident, she was sleeping on the balcony of her two-story house, she heard some noise to which she came downstairs and saw that her father along with other family members were strangled with blood. She informed the police that there was a burglary in her house and the robbers murdered them. However, in the incident scene the Amroha SHO R. P. Gupta, who was in charge of the case, found empty strips of 10 Biopose, which acts as a sedative substance. Furthermore, the SHO also informed that the bed on which the victims lay, were not crumpled the way it should have been if the victims struggled while they were being strangled.

Afterwards, a post mortem was done on the bodies, and it was found that the victims were sedated with the Biopose drug before their death. Besides the empty drug strip,



Image Source: News18

the officer claimed to have collected blood-stained garments from Shabnam (she was wearing a different set of clothes when the first eyewitness arrived at the scene), as well as her phone and Saleem's SIM.

The officer claims he then had Saleem "point out" the precise area in a nearby pond where he reportedly threw the axe after the killings, and he collected his blood-stained clothes and phone from his home. "I got the call records out, and that was the end of it," he added. Five days after the murder, Shabnam and Salim were arrested and were sent to Moradabad jail. When the unfortunate incident occurred, Shabnam was pregnant with her child, who was given birth in that jail in December 2008.

During their trial, the couple began to turn on one another. According to the Supreme Court decision, Shabnam claimed in her Section 313 statement that Saleem had entered the house through the roof with a knife and killed all of her family members while she was sleeping. Saleem, on the other hand, said that he went to the residence "simply on Shabnam's request" and that when he arrived, she confessed to killing the others.

With the pieces of evidence indicating that Shabnam and Salim were behind this unfortunate incident, the trial court sentence them to capital punishment after a long trial of 2 years and 3 months. The judgement was challenged in Allahabad High court, where it was also claimed that during her arrest, Shabnam was carrying a child in her womb, which she had given birth to in jail and would be orphaned if the appellants were hanged, regardless, the death sentence was upheld.

They then visited the Supreme court, but the top court of the country too upheld the Death sentence and pronounced their decision in 2015.

The reaction to this gruesome incident is such that, no one in the village where the incident happened, has kept their child's name "Shabnam".

THE TINDER SWINDLER

MARISHA DUBE

An extraordinary charisma with a penchant for private jets and all things sumptuous made Simon Leviev, now better known by the pseudonym The Tinder Swindler, stand out on dating apps, the current generation's trendy terminus for finding potential romantic partners. Leviev, originally born Shimon Yehuda Hayut on the 27th of September 1990 in Bnei Brak, a city east of Tel Aviv, Israel, is a notorious conman convicted of forgery, theft and fraud. The Times of Israel reports him of having allegedly conned an estimated \$10 million between 2017 and 2019 through Ponzi schemes from his unfortunate victims across Europe.

Leviev, a wanted man in countries such as Israel, Denmark, Norway, Sweden, England and Germany, was finally apprehended in Greece using a fake passport and extradited to Israel in the July of 2019. However, even at the time of his arrest, this seasoned conman displayed no morsel of remorse and denied all the charges framed against him.

Leviev's track of misdemeanours can be traced right back to his adolescent days. He moved to Brooklyn, New York, with his family's friends when he was 15, and they later accused him of misusing their credit cards. As per Felicity Morris' interviews, Leviev has since been committing petty crimes like cheque fraud. To buttress his overtures with women, he changed his legal name from Shimon Hayut to Simon Leviev, claiming to be connected to the Israeli millionaire Lev Avnerovich Leviev, also known as "The King of Diamonds".

Hayut was charged with theft, forgery, and fraud in Israel in 2011 for cashing stolen cheques. He allegedly stole a family's chequebook while babysitting their child and

another's while working as a handyman at their home, according to reports. He never appeared in Court and fled to Europe, crossing the border into Jordan with a forged passport in the name of Mordechai Nisim Tapiro. He was accused of theft and forgery of cheques, as well as of leaving a five-year-old he was babysitting alone, by an Israeli court in 2012. In 2015, he was caught in Finland and was sentenced to three years in jail for scamming many women. He then claimed to be an Israeli man born in 1978 and was discovered with two counterfeit Israeli passports, three forged Israeli driver's licenses, two forged Israeli flying permits, and five forged American Express credit cards.

After finishing his sentence in Finland early, he returned to Israel in 2017, only to be recharged and punished. According to The Times of Israel, it is then that he took on a new identity and fled the nation by changing his legal name to Simon Leviev. Hayut pretended to be different persons while traveling around Europe. Using the name Michael Bilton, he exploited multiple women in Germany and under the false identity of the son of the Diamond Mogul Leviev, he duped women into lending him money on the dating app Tinder that he never repaid.



Image Source: Fortune

He would entice women with extravagant gifts and fly them to dinners on private jets using money he had stolen from the other women that he had defrauded. He would later pretend that he was being pursued by his "enemies," often sending the same messages and photographs, claiming that his bodyguard had been attacked and requesting his paramours for financial assistance.



Image Source: NDTV

They would frequently take out bank loans and new credit cards to assist him. He'd then use the money he'd made from the fraud to entice new victims, thus running a Ponzi scam.

Hayut may have a harder time attracting women on dating apps now that Netflix's *The Tinder Swindler* is streaming to homes around the world. Several of Hayut's victims discuss their encounters with the conman in the documentary, directed by Felicity Morris, from their exuberant early text-messaging days to the horrible revelation that they'd emptied their life savings for a serial fraudster. Rather than waiting for authorities, several of the ladies decide to settle their differences with Hayut on their own—an exciting trip chronicled in *The Tinder Swindler*.

Hayut was arrested by the Interpol in Greece in 2019 after using a forged passport. Later that year, he was sentenced to 15 months in prison in Israel, but was released five months later as a result of the coronavirus pandemic. According to The Mirror, he later offered "business advice" for a fee via a website. According to The Times of Israel, he pretended to be a medical worker to get the COVID-19 vaccines early. Hayut is also wanted in Norway, Sweden, and the United Kingdom for various fraud and forgery offences.

The Tinder Swindler, a Netflix video documentary on his narrative as told by several of his victims, was released in 2022. According to *The Washington Post*, Tinder

removed Hayut from their app after the documentary's debut. Other Match Group Inc. apps, such as Match.com, Plenty of Fish, and OkCupid, have also blacklisted him.

According to Instagram stories featured in *The Tinder Swindler*, Simon Leviev is a free man in Israel. His account was active with approximately 100,000 followers before the documentary was released on Netflix but it was set to private. However, as the documentary's popularity grew in recent days, Simon shut his Instagram account entirely.

"Thank you for all your support," he added before deleting the account. "In the coming days, I'll offer my side of the story once I've figured out the best and most courteous way to explain it to both the persons involved and myself. Please have an open mind and heart until then".

The Tinder Swindler may have signed off for a while from his romantic shenanigans but his story only proves that while love may be in the air, a little bit of caution and rigorous background checks definitely go a long way into finding that ideal partner, a lesson hard learned by Hayut's paramours, who are still paying off their debts.

MOVIE REVIEW: THE PERFECT MURDER

PRAGYA CHAINTA

A **PERFECT MURDER** is a suspense thriller about a cold-hearted man who attempts to murder his adulterous wife in order to acquire her wealth. The film takes a moral stance on adultery and murder, with two references to God's watchful eye, but it also includes three violent killings (two in self-defense), some foul language, and superficial character motives for the female lead. Thanks to brilliant performances from Michael Douglas as the shady hedge-fund manager and Gwyneth Paltrow as his adulterous wife, it is unquestionably one of the best homicidal spouse thrillers of the 1990s.

Steven Taylor (Douglas) sees a chance to fulfill his mala fide intentions when he discovers his wife Emily (Paltrow) is having an affair with a painter named David Shaw (Viggo Mortensen). Steven needs money because his reckless and illegal stock market bets are about to backfire and leave him bankrupt. Emily, fortunately, has a trust fund and has not signed any pre-nuptial agreement for the same. As Steven discovers about David's heinous history, including former trysts with wealthy heiresses and his time in prison, he comes up with a plan to blackmail David into murdering Emily for \$500,000.

Steven believes he has devised the ideal murder, one that will leave no trace and will further alleviate his financial woes at the price of his wife. His plans derail as an unexpected incident occurs.

As the moment arrives, we see Steven plot his alibi and set in motion every piece of the puzzle that he knows will lead to his exoneration. The tension escalates tremendously once the attack occurs and the cops arrive.

Emily is still alive, and Steven now has to conceal the evidence. As he must now clean up any mess left by the would-be killer, he forces the audience to recollect every element that he laid in place originally.

Throughout the rest of the film, **A Perfect Murder** depicts these loose ends and his attempts to tie them up before Emily and the detectives discover anything. **A Perfect Murder** is a film that immerses you in the



Image Source: IMDB

psyche of a murderer and, somehow, makes you root for him as he tries to navigate the minefield of a cover-up he has created for himself when his plan goes awry during the execution phase. **A PERFECT MURDER** succeeds in rising above obvious intentions to thrill an audience with murder and excite them with a great performance by one of America's most gifted actors, Michael Douglas.

A Perfect Murder encapsulates the best aspects of the murder mystery genre in the 1990s. The movie allows the audience to visualise the planned murder and how it will eventually take place by building high suspense around it. It is a must-watch for all the murder mystery fanatics!

CHAPTER 6 OF CRIME AND JUSTICE: A DISCOURSE SERIES

hosted by GNLU Center for Research in
Criminal Justice Sciences

OJASI GOPIKRISHNA

TOPIC: "REGULATING LIVE-IN
RELATIONSHIPS IN INDIA : RIGHTS,
LIABILITIES, ETC."

DATE - 08.01.2022

DAY - Saturday

PLATFORM - Google Meet

SPEAKERS - Pragya Chainta, Dev Shroff

The Discourse began with an introduction regarding the moral views that society holds about live-in relationships in India and elaborated on why they are considered immoral and seldom accepted by the Indian society. The legal aspect of such cases was elaborated upon by pointing out that there are no codified case laws regarding live- in relationships and the analysis of the judiciary in these arrangements is different in various cases. The aspects of legal protection was brought about and the discussion regarding laws for live-in relationships was discussed, where it was brought to notice that there are no specific laws for the rights of parties engaged in a live-in relationship, but the Domestic Violence Act, 2005 grants protection to women present in a live-in relationship.

In the course of the discussion, relevant court judgements such as the controversial rulings of the Haryana and the Punjab High Court on matters of live-in relationships were brought forward. Judgements where courts awarded special protection to live-in couples, supporting their basic right to life and personal liberty as given in Article 21 of the Indian Constitution, were also put forth, such as the Supreme Court's rulings in the cases of Badri Prasad v. Director of Consolidation and Payal Sharma v. Nari Niketan.

Points about differentiating factors between marriage and live-in relationships were put forth. The importance of the need for legislations regulating live-in relationships was emphasised by examining the scope of rights that individual parties within a live-in relationship have and substantive measures on how these rights should be drafted. The examples of countries where the successful implementation of such laws was seen were also presented.

The discourse concluded with a constructive discussion of the different issues raised by participants and questions posed during the discussion.

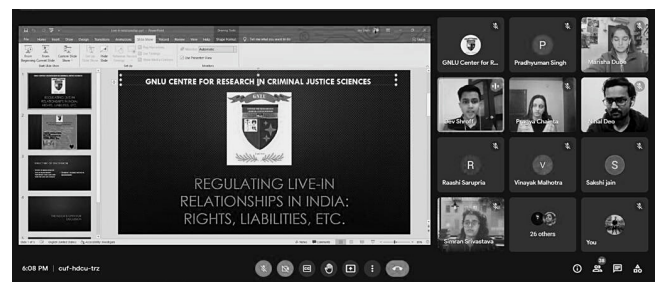


Image Source: GCRJCS Instagram handle

CHAPTER 7 OF CRIME AND JUSTICE: A DISCOURSE SERIES

hosted by GNLU Center for Research in
Criminal Justice Sciences

SIMRAN SRIVASTAVA

The concluding remarks of the discourse included purposeful discussion on other modes of punishment with an understanding on the distinction between retributive and reformative modes of punishment. Finally, the majority decided upon certain instances, like offences against children, sexual offences, offences of conspiring against the state, where it deemed fit that capital punishment should be awarded to avoid such crimes from being committed in the future for the general good of people.

TOPIC- "VALIDITY OF CAPITAL PUNISHMENT"

Speakers- Vaibhav, Raashi

Date- 6th February, 2022

Time- 6:30pm

The discussion began by an insightful speech on the Constitutional Aspects of Capital Punishment. Participants deliberated upon the issue of Right to life and how much State control is required when it comes to punishing criminals in heinous cases. The topic of Mercy Petitions and Rarest of the Rare Doctrine was also analysed during the course of the discussion. Further, the efficiency and deterrence caused by this mode of punishment was discussed against the issue that Judges can be biased against the marginalized sections, who are sometimes disproportionately subjected to death penalty. This led to deliberating upon the issue of delaying justice and subsequent psychological impact suffered by offenders, was also given a thought.

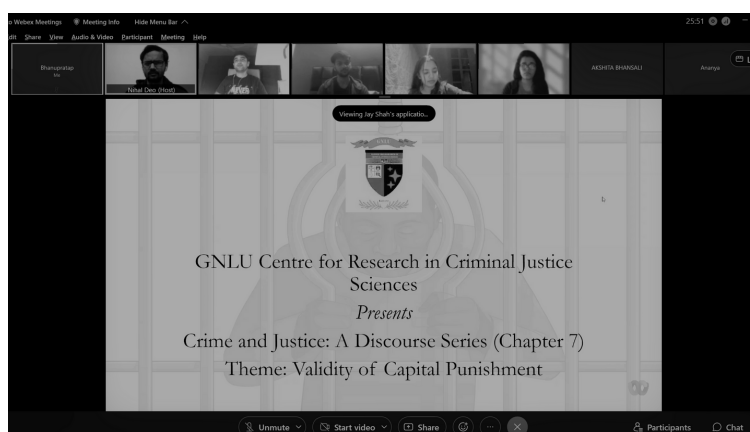


Image Source: GCRQJS Instagram handle

RIDDLE OF THE MONTH

Collated by ADITYA DALAL

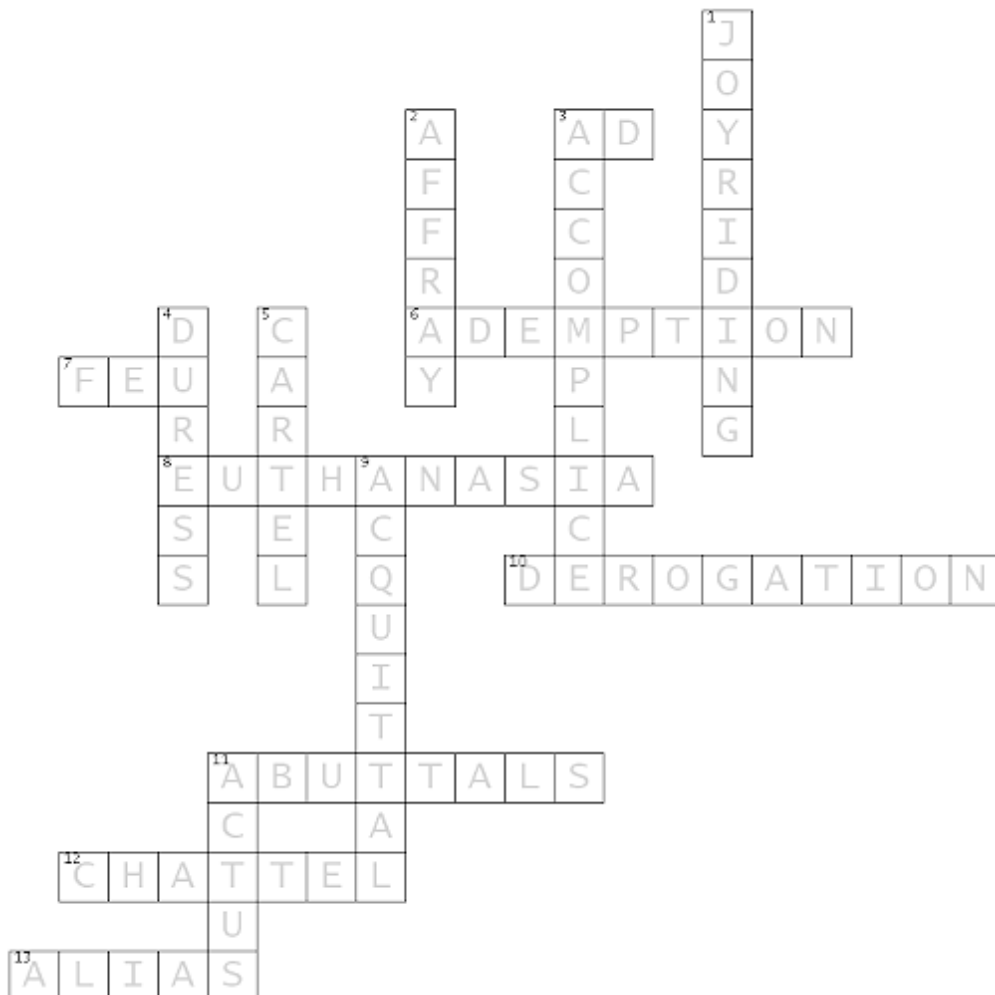
Anish and Sahil went on a trip to Thailand. But only Sahil came back. He revealed that Anish had died due to an unfortunate accident. The police authorities filed an FIR against him saying that “We took a statement from your travel agent. He said you might have murdered Anish.”

How did the travel agent know that it was a murder?

ANSWER

KNOW THE TERMS!

LEGAL TERMINOLOGY CRISS-CROSS
(ISSUE 4)





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