



6th AUMP National Virtual Moot Court Competition, 2022

September 15-16, 2022

Organized by – Moot Court Committee, Amity Law School,

Amity University Madhya Pradesh, Gwalior



MOOT PROPOSITION

1. Narcotics Control Bureau Mumbai conducted a raid on 22nd July on the famous Luxury Italian Cruise Ship Costa Phalange. This luxury ship is well known for organizing parties Electronic Dance Music parties. It features the exquisite cuisine with some of the most luxury rooms at sea.
2. There are 366 cabins and all of them suites aboard this luxury ship. The suites on Costa Phalange are some of the largest afloat, ranging from 89 to 1,350 square feet. Likewise, public spaces aboard this ship are stunning. Emperor Marble and Granite are found all over the ship, and there are almost 800 chandeliers and 250 wall hangings made of Swarovski Elements crystal glass and Turkish crystal glass throughout the ship. In addition to this, there are also 1,500 pieces of art works on display, comprising the works by masters such as Pablo Picasso and Joan Miro.
3. Along with the artworks, the food on the ship is also appetizing. There are two main restaurants namely Rose D Vita and La Mari Vita. In addition to this, there are three complimentary restaurants: the pan-Asiad Pacific Rime, Ray's signature steakhouse, Bistro 7.



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Along with these, there were 2 lounges which were utilized for organizing parties. This luxury ship left the Amalfi coast of Italy on 18th July, 2019, 9:00 AM and reached the coast of Maharashtra on 19th July 02:00 A.M. On the coast of Maharashtra, 4 people boarded the cruise ship on 19th July, 03:00 A.M.

4. The 4 people were namely Tina Badani (Daughter of famous Business Tycoon namely Badani Industries), Vedansh Rabbari (Son of famous diamond merchant named Rabbari Diamond Company), Rudra Merchant (famous oil merchant in India) and Bollywood Superstar named ROCKY whose real name is Raunak Singh who acted in various super hit bollywood and Tollywood Films.
5. In the Bollywood Industry ROCKY is the highest paid actor. And he is known to earn the highest among the other bollywood stars from the TV Commercials. He is also the Brand Ambassador of various Companies. Due to his popularity and fan-following, the companies which are endorsed by him earn a lot as he has the power to influence the audience and make them believe in the product.
6. He is also previously been in news for his playboy image and also his alleged illicit network for drugs from Foreign Nationals. All the four Indian National boarded the cruise ship at 03:00 A.M from the coast of Maharashtra and the cruise ship left the shores of Maharashtra at 04:00 AM.



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7. A lavish Rave Party was organized at the cruise and all the ravers were partying all night. At 3:00AM in the morning raid of NCB Mumbai was conducted by the NCB Officer under the NDPS Act, 1985 on 22nd July 2019 on the cruise ship where the party was organized. And whole of the cruise ship was seized and interrogation was done by NCB.
8. While interrogating, the NCB apprehended 4 persons from an Italian Cruise Ship Costa Phalange and they are now subject to custodial interrogation up to 27th July. From the Basement of the cruise ship where all the ravers were present, NCB recovered 5 grams of metazocine from Tina Badani; 50 grams of charas from Vedansh Rabbari; 1 gram of hydromorphone from Rudra Merchant. All the four persons were arrested for violations of offences under sections 8(c) r/w 20(b), 27, 28, 29 and 35 of Narcotics Drugs and Psychotropic Substances Act, 1985.
9. Intoto the NCB affected seizure of 5 grams of Myrophine, 25 grams of Opium, 2 grams of Cocaine and 2,50,000/- INR at the Cruise Ship Costa Phalange which was then 24 nautical miles off the coast of Maharashtra.
10. Ms. Tina Badani (Accused No. 1) sought bail on the grounds that she is nowhere related with the alleged offence and she was only invited by one Mr. Alex. When she entered the room



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with all the arrested persons, the party was already going on and when NCB raid occurred in the room they found small packets of hash lying on floor, and NCB let all of them free.

11. The officials of NCB revealed to media that Ms. Tina Badani (Accused no. 1) has a role to play in the procurement and consumption of the contraband. It was prima-facie in question that she used to procure charas and hydromorphone from Mr. Vedansh Rabbari (Accused No. 2). And as per the media reports there were whatsapp chats which showed that there was nexus of all the four persons arrested with Mr. Alex from Italy.
12. The investigation is still in progress and 3 more people are arrested with 100 grams of charas. There is a turbulence in the film industry due to the arrest of famous bollywood star Raunak Singh. And as shown by Star News, this is not the first time when accused no. 1 is involved in illicit drug activities.
13. There is ample evidence in the form of Whatsapp chats of the accused no.3 with foreign national and unknown persons dealing in drugs. In addition to this, accused no 4 i.e., ROCKY had the knowledge of the drug rave party organized at the cruise. And it is suspected that drugs in these chats were in bulk quantity which are not meant for

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consumption and could be a part of international Drug Racket. Thus, all these facts prima-facie go to show that accused acted in conspiracy with one another.

14. By the outspread of this news on various news channels, one of the brands namely Nessly which was endorsed by bollywood star Raunak Singh (ROCKY) and was brand ambassador of the same, did terminate their contract due to allegations raised on the superstar. Due to which the superstar suffered a loss of 5,00,000/- INR. As the company stated that if ROCKY would be associated with the brand and subsequently it would tarnish the image of the brand.

15. Subsequently, as aggrieved the Bollywood star i.e., accused no. 4 resorted to Mumbai High Court under section 482 CrPC, reason being stated for quashing the proceedings including FIR and further prayed for releasing him on bail till the final order is passed.

16. The application was rejected by the Mumbai High Court, reason being stated that a whatsapp chat was revealed (in crypted form) of accused no. 4 by prosecution depicting a conversation:

Accused no. 4 (to Mr. Alex): *"Require 4 kg of cookie dough required for being baked from the stock available with you"*

Mr. Alex: *Would provide you from the stock for being baked, don't worry.*

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17. Subsequently, the accused filed for quashing the FIR under Article 136 of the Indian Constitution to the Supreme Court and further prayed relief for the same. Hence, the matter is pending before Supreme Court.

