

EVENT REPORT

OF

6th GURJEET SINGH MEMORIAL MOOT COURT COMPETITION, 2025

Warm greetings from the Moot Court Committee of National Law University and Judicial Academy, Assam. With immense pride and joy, we are elated to inform you that we have organised the 6th Edition of Gurjeet Singh Memorial Moot Court Competition from 6th - 8th June, 2025, in collaboration with the Chambers of Abhinav Mishra as our Title Sponsor, Lexcuria Lawyers as our Industry Engagement Partner, and SCC Online and SCC Times as our Knowledge and Media Partners respectively. Their generous support enabled teams from premier Indian law schools to engage in a rigorous three-day competition of substantive, procedural, and constitutional law under the Prevention of Money Laundering Act (PMLA), the Unlawful Activities (Prevention) Act (UAPA), and Articles 21, 136, and 134 of the Constitution.

National Law University and Judicial Academy, Assam was established by the Government of Assam by way of the enactment of the National Law University and Judicial Academy, Assam Act, 2009 (Assam Act No. XXV of 2009). The Hon'ble Chief Justice of the Gauhati High Court is the Chancellor of the University. NLUJAA promotes and makes available modern legal education and research facilities to its students, scholars, and faculty drawn from across the country, including the North East, hailing from different socio-economic, ethnic, religious, and cultural backgrounds.

The Gurjeet Singh Memorial Moot Court Competition is organised by the National Law University and Judicial Academy of Assam, in memory of our beloved founder, Late Prof.(Dr.) Gurjeet Singh, who left for his heavenly abode on the 1st of April 2017, out of indebtedness for his contribution and to symbolically immortalise his legacy in the annals of the National Law University and Judicial Academy of Assam.

6 June 2025 (Day 1): Registration | 10:00 AM

The sixth edition of the 6th Gurjeet Singh Memorial Moot Court Competition officially kicked off on Friday, 6th June 2025, with the registration process beginning at 10:00 AM. The Moot Court Committee welcomed all the participating teams at the reception desk, where they completed their registration smoothly with the assistance of dedicated student volunteers. The teams were then directed to the designated area, where they had the opportunity to interact with

fellow participants, organisers, and volunteers, setting the tone for a day filled with competitive spirit and camaraderie.

2:30 PM | Researcher Test | Academic Block

At 2:30 PM, the Researchers' Test was conducted in the designated hall. This written round was designed to evaluate the depth of legal research, conceptual clarity, and understanding of the moot proposition by the researchers from each team. The test served as a vital component of the competition, emphasising the importance of behind-the-scenes legal scholarship that supports oral advocacy.



3:30 PM | SCC Online Orientation | Academic Block

At 3:30 PM, the SCC Online Orientation session was conducted at the Academic Block, offering participants a comprehensive overview of the premier legal research platform. The session was designed to familiarise students with the features and functionalities of SCC Online, enabling them to navigate legal databases efficiently and enhance their research capabilities. Attendees were guided through practical demonstrations on case law search, statute analysis, and the use of advanced filters, equipping them with essential tools for effective legal research and mooting. The orientation proved to be highly informative and interactive, with students actively engaging in the session and clarifying their queries.



4:45 PM | Draw of Lots and Memorial Exchange | Academic Block

The Drawing of Lots was held, where all teams convened to learn about their preliminary round matchups. Overseen by the Moot Court Committee to ensure full transparency, the drawing revealed which sides (petitioner/respondent) each team would represent and their corresponding opponents. This moment generated excitement and anticipation, prompting participants to start strategising for their oral rounds.

7 June 2025 (Day 2)

11:00 AM | Preliminary Rounds | Academic Block

Court Hall I

On 7 June at 11:00 AM, Preliminary Round I in Courtroom 1 began with the Petitioners invoking Article 136 to argue that their Special Leave Petitions raised substantial questions of law and gross procedural violations, chiefly, that Section 24's reverse-burden presumption was improperly applied without a predicate offence. Counsel 1 contended that PMLA and UAPA proceedings could not proceed concurrently and that a Special PMLA Judge lacked jurisdiction absent a valid predicate crime under Section 3. Citing Paragraph 54 of their memorial and authorities such as Vijay Reddy and Bharti Cement, they stressed that money-laundering charges collapse without an established predicate offence. When judges queried the nexus between accused and alleged offences, referencing *Prakash Industries v. UOI* and *Ajay Kumar Wahedi v.*

DB, Counsel 1 emphasised that mere allegations cannot substitute proof, and cited *Harish Chandra* and *DK Shivakumar* cases to underscore due-process concerns.

Counsel 2 in the same Courtroom 1 then pressed issues of fair notice and procedural delay: the client was neither named in any FIR, chargesheet, nor ECIR; no summons had been issued; and the property in question was lawfully acquired. Highlighting a two-year gap before complaint filing and Annexures 1–3 showing no new facts, they argued mala fide intent. They maintained that Sections 200–203 and Section 46 CrPC applied to PMLA Courts (citing *Kukeja v. UOI*), and that Section 71 of the PMLA did not override CrPC safeguards. When asked about Section 50 statements and “handsome” payments, they distinguished criminal breach of trust from proceeds of crime and relied on *Tamannah Décor* case to reject automatic vicarious liability for corporate employees.

Meanwhile, Respondents in Courtroom 1 opened by clarifying that PMLA proceedings are preventive, not punitive, and may run independently of predicate-offence convictions, per *Chaudhary Lal v. UOI* and *Rameswaram Kejriwal v. West Bengal*. They asserted that an ECIR, unlike an FIR, is internally valid at any stage (*M. Venkataswamy case*) and that PMLA trials need not await UAPA conclusions. When judges probed the necessity of a predicate conviction under UAPA, respondents adroitly referred to the *Vijay Mallya Chaudhary case* to uphold PMLA’s autonomous operation. Their sur-rebuttal, though brief, maintained that existing case law and factual matrices favoured the State’s position.



Court Hall II

As the hearing commenced, Petitioners' counsel asserted that initiating PMLA proceedings while the predicate offence conviction remains under challenge in a separate appeal effectively punishes them twice for the same conduct. They argued that neither Article 300A nor Section 8 of the PMLA authorises attachment before final adjudication, and to do so infringes due process. In response, the CEB prosecutor pointed to the non-obstante clause in Section 8 and insisted Parliament deliberately allowed freezing of assets once a conviction is recorded, even if appeals are pending, to prevent dissipation. At one point, the judge probed whether any constitutional provision bars parallel proceedings and challenged the Petitioners to cite a unanimous precedent forbidding simultaneous trials based on identical facts.



Court Hall III

The Petitioners opened by contending that attaching Solvex's properties under Schedule I of the PMLA, merely on a predicate conviction, exceeded the statute's scope, since Sections 5 and 8 require a "final" finding. They drew from bilateral mutual-legal-assistance treaties and analogised to narcotics forfeiture jurisprudence, where attachments await appellate outcome. The Respondents retorted that the express non-obstante language in Section 8 overrides all other statutes and that interim attachment is inherently statutory rather than punitive. When pressed, counsel admitted there is no directly on-point Supreme Court decision, and the bench questioned how the PMLA's freeze mechanism could be squared with Article 21 property rights.



Court Hall IV

Petitioner Speaker 1 grappled with Section 42 jurisdiction and whether the High Court was the proper forum, reading Section 45 to justify maintainability. They challenged a co-promoter's liability absent mens rea, relying on *Bachan Singh v. State of Punjab* and *Maneka Gandhi v. Union of India* for fair-trial principles. Petitioner Speaker 2 argued procedural defects: PMLA's presumption under Section 24 differs from other statutes, and co-promoters acting in good faith cannot be held vicariously liable. Judges pressed them on active involvement versus position, and on whether ammonium nitrate transfers implicated all promoters.

Respondent speakers in Courtroom 4 countered that Section 44 permits concurrent PMLA and UAPA trials, that the organisation's classification did not bar proceedings, and that no double jeopardy arises when offences under different statutes are independent. They invoked *K.S. Puttaswamy* for proportionality and stressed that subsequent UAPA convictions empower, rather than impede, PMLA action. A second respondent speaker corrected a cause-title error, explained the three stages of money laundering under Section 3, and argued that directors' due diligence obligations impose vicarious liability. Judges drilled into corporate veil principles, Section 70 of UAPA, and the scope of Section 3, concluding with the petitioner's objections on jurisdiction and unaccounted payments.

Court Hall V

Petitioners argued that, despite the Special Court's order, neither Sections 17–19 nor Article 136 should be read to bar Supreme Court review, and that Parliament's silence on ousting SLP jurisdiction is meaningful. The CEB countered that Section 17(1) plainly vests appellate jurisdiction in the High Court, and that allowing SLPs would undermine statutory expediency. Counsel sparred over legislative intent, with the judge asking whether any committee report or parliamentary debate clarified why the Supreme Court was excluded, and prompting Petitioners to identify any instance where Parliament explicitly deprived Article 136 review.

2:30 PM | Preliminary Rounds II | Academic Block

Court Hall I

The Petitioners insisted that a conviction under appeal cannot serve as “conclusive proof” for identifying “proceeds of crime,” since finality is a necessary condition. They likened it to criminal forfeiture in other statutes, where attachments routinely await appeal disposal. The Respondents maintained that if finality were required, the statute would so state, and that conviction alone triggers jurisdiction to act. During the argument, counsel acknowledged that “conclusive proof” in PMLA may be a term of art, and the bench asked whether any principle of statutory interpretation supports treating it as provisional rather than absolute.



Court Hall II

Preliminary Round 2 on 7 June at 2:30 PM in Courtroom 2 opened with Petitioner Speaker 1 citing *Chuni Lal Mehta case* to justify substantial questions of law and pressing why a Division Bench had not been approached earlier. They contended that PMLA charges are parasitic on predicate offences (citing *Prakash Industries case*), and that natural-justice principles bar undue burdens on unacquitted individuals. The Bench pressed on Article 21 scrutiny under *Nighesh Singh v. UOI*, property attachment issues, and the standard of proof (“beyond reasonable doubt”). Respondent Speaker 1 defended PMLA’s independence from predicate convictions and distinguished Section 8 from Section 50; Respondent Speaker 2 justified multiple entity prayers and highlighted the redundancy of a third prayer. In rebuttals, petitioners emphasised PMLA and NDPS as special statutes requiring harmonious interpretation, while respondents relied on financial documents signed by petitioners to support attachment.

Court Hall III

Facing the court, the three co-promoters argued that mere directorship and shareholding cannot impute knowledge or wilful blindness under Section 3, and submitted affidavits showing no involvement in daily accounting or meetings with flagged shell companies. The CEB prosecutor countered that PMLA’s phrase “involved in any manner” encompasses board-level oversight and that constructive knowledge suffices. When probed, Petitioners’ counsel struggled to point to a threshold of mens rea less than actual knowledge recognised in binding PMLA cases, prompting the judge to question whether any lesser standard of fault had been judicially endorsed.



Court Hall IV

In Courtroom 4 later that afternoon, started with Petitioner Speaker 1's brief, an under-three-minute opening undermined by an incorrect party name in the memorial. Opting out of rebuttal, they conceded potential under-preparation. Speaker 2 argued that parallel UAPA and PMLA proceedings breed judicial confusion (citing *Aslam Merchant*), and sought a stay of PMLA proceedings until UAPA's proceedings conclusion. Judges probed counsel's composure, error in statute references, and misapplication of UAPA charges. Respondents then summarised facts, cited *Irshad Qureshi case* and *Vijay Madanlal Chaudhary case* for concurrent trial authority, and argued that Mr Boyle alone bore custody liability under Article 32. Respondent Speaker 2 pressed Nirmal Singh for director accountability and Bharti Mittal for corporate responsibility, while bench queries on mens rea and Section 70 of UAPA rounded out the session.



Court Hall V

In their interim-stay application, Petitioners pleaded that freezing all assets has crippled their businesses, forced layoffs, and irreparably damaged reputations, and urged that harm far outweighs the public interest argument. The Respondents opposed, arguing the statute disallows stays once attachment is effected except by the designated appellate remedy, and that thwarting terrorism financing must remain paramount. The bench pressed Petitioners on quantifying “irreparable harm” and whether any PMLA provision even contemplates commercial hardship as a basis for stay, challenging them to show that judicial equity can override the legislative scheme.

Teams Qualifying for Semi-Final Rounds

TC 02

TC 04

TC 06

TC 11

8 June 2025 (Day 3)

11:00 AM | Semi Finals Rounds | Academic Block

Court Hall I

The Semi-Finals on 8 June at 11:00 AM in Courtroom 1 reignited debates over Article 134 and 136 jurisdiction, the admissibility of Section 50 statements (citing *Prem Prakash v. ED*), and vicarious liability under *Sunil Bharti Mittal*. Petitioners challenged Section 15's constitutionality and Section 24's reverse presumption, invoking *Sarva Gupta case* for fair-trial rights. Respondents urged alternative remedies under Article 226, affirmed PMLA's independence from predicate convictions, and stressed companies' negligence liability via Section 70(2). They highlighted fresh material in the supplementary chargesheet (Para 19B, 19F) and refuted double jeopardy arguments. In rebuttals, petitioners attacked unconnected income and coerced statements; in sur-rebuttals, respondents reaffirmed Section 24's validity, cited *M. Venkatesh v. ED*, and invoked the doctrine of attribution.



Court Hall II

In Courtroom 2, Petitioners opened by citing *Chunnilal Mehta* on concurrent proceedings and lack of mens rea, urging SLP continuation. They invoked *Rayna Ayub case* to bar parallel trials upon cognisance in one court and argued that rapid FIR, ECIR, and chargesheet filings indicated

mala fide intent. Their second speaker stressed Article 21 violations from simultaneous trials, citing *Bharti Mittal v. CBI* and *Hanif Khan* for director knowledge standards. Respondents countered with a ₹12 lakh recovery trail, a ₹52 crore turnover by Solvex Chemicals, and *Vijay Madanlal* for parallel prosecutions. They requested extra time, alleging petitioners had overrun their allotment. Rebuttals saw petitioners' fault in missing formal prayers and misinterpreted precedents (*Mohan Lal v. Punjab*); respondents responded clearly, satisfying the bench on key inquiries about PMLA's standalone nature and evidentiary sufficiency.



Teams Qualifying for Final Rounds

TC 02

TC 04

3:30 PM | Finals | Moot Court Hall

The final rounds of the 6th Gurjeet Singh Memorial Moot Court Competition were held in the Moot Court Hall of the Administrative Building at National Law University and Judicial Academy, Assam. The atmosphere was intense as the best two teams of the tournament argued before an esteemed five-judge bench, comprising Hon'ble Justice Mir Jafar Ali (Former Judge, Gauhati High Court & Director, Judicial Academy Assam), Hon'ble Justice Kalyan Rai Sarma, Hon'ble Justice Soumitra Saikia, Hon'ble Justice Sanjay Kumar Medhi, and Hon'ble Justice

Devashis Baruah—all sitting Judges of the Gauhati High Court. The final promised not just a display of sharp legal reasoning but also a memorable culmination to a fiercely contested competition.

The courtroom witnessed a tense legal battle in a case involving alleged money laundering. The petitioners began by questioning whether the case was even maintainable under Article 136 of the Constitution, citing *Pritam Singh v. State* and *Chunilal Mehta*. They argued that the matter raised a substantial question of law and involved a gross miscarriage of justice.

When asked about the kind of relief they sought and whether leave had been granted, the petitioners responded that due to the seriousness of the issues, relief should still be available. Referring to *Akhtari Bi v. State of Madhya Pradesh*, they argued that similar facts can give rise to different offences, and both proceedings can be valid. Under the PMLA, Section 3 (money laundering) depends on a prior or “predicate” offence, as per Section 2.

The bench pointed to Section 2 of the UAPA about offences by companies. The petitioners clarified that they weren’t directly charged under the PMLA but were linked through another person, Keyser Doyle. They cited *Vijay Madanlal* and *Bharti Cement* to show that legal outcomes must be consistent, otherwise the proceedings would be pointless. They also mentioned Section 11(1)(c) of the PMLA to highlight the risk of contradictory findings.

The petitioner's second speaker argued that the prosecution was premature and flawed in law, striking at the heart of Article 21. He said there was no clear evidence of proceeds of crime, which are essential to a money laundering charge. The property was attached before any crime was proven, violating due process. They cited *Hardeep Singh v. ED*, saying that without a conviction, the offence cannot be sustained. They stressed that the petitioners were only co-promoters, not active participants. No evidence had been shown to establish involvement—“Is status more important than conduct?” the speaker asked.

When the judge pointed out that a conviction suggests a *prima facie* case, the petitioners replied that “management” is a subjective term—just because someone is in the company doesn’t mean they are liable. Citing *Bharadwaj Trivenkata v. PVR*, they argued that being a director alone doesn’t make someone guilty. The ED had failed to connect them to the core crime.

The state countered by arguing that co-promoters, knowingly or unknowingly, can be liable for illegal activities of a company. They stressed that this was a premature stage and the trial should begin. Under Section 70 (2) of the PMLA, directors can be held responsible. Referring to the *Arvind Kejriwal* case, they invoked the doctrine of attribution, saying the corporate veil must be lifted to see who was really responsible. Directors, especially executive ones, must approve key decisions and audits, and cannot plead ignorance. They cited *Pawan Kumar Dhoot v. ED* to back this up.

The second respondent speaker argued that the PMLA is a standalone law, and the offence of money laundering can be tried independently of UAPA. Citing *M. Venkateshwar v. ED* and *Ankur Khurana v. ED*, they said the burden of proof has shifted. There were fund transfers from company accounts to personal ones, indicating a *prima facie* link. However, the judge questioned whether such transfers alone were enough to prove a crime and noted that just because a company makes profits doesn't mean they are proceeds of crime.

In rebuttals, the petitioners argued that the respondents were misleading the court. Section 3 of the PMLA requires "knowing involvement," which has not been proven. They said no direct evidence had been shown to establish that the petitioners were part of any illicit financial movement. Tax returns and affidavits had been submitted. The judge noted that for such evidence to matter, the case needs to go to trial.

In sur-rebuttals, the respondents said both direct and indirect roles matter. Evidence should have been submitted by the petitioners to clarify their role. They added that government auditors should have caught discrepancies if everything was clean. The judge asked whether BNSS (the new criminal procedure code) applies, but the respondents insisted that Section 70 of the PMLA overrides BNSS. They were also cautioned that new arguments cannot be raised during rebuttals.

While both sides agreed that different offences can arise from the same facts, they debated whether these are truly independent or closely linked. As the dust settles, the court must now weigh intent, evidence, and responsibility—and decide where association ends and liability begins.



5:30 PM | Valedictory Ceremony | Seminar Hall

The valedictory ceremony of the 6th Gurjeet Singh Memorial Moot Court Competition was as heartfelt as it was celebratory. It began with Prof. (Dr.) K.V.S. Sharma, the Hon'ble Vice-Chancellor of National Law University and Judicial Academy, Assam, set the tone for the evening. This was followed by Justice Mir Jafar Ali, Director of the Judicial Academy, Assam, who lightened the mood with a warm remark, pointing out that it wasn't just the students who were playing the role of lawyers, but even the High Court judges were stepping up as Supreme Court judges for the evening.

Justice Soumitra Saikia shared an affectionate message, saying that the students felt like family to him that evening, and encouraged everyone to move forward with grace, regardless of the results. Justice Sanjay Kumar Medhi extended his congratulations in advance and quoted Justice Hansaria's words: "There is always room at the top." Justice Devashis Baruah applauded the high quality of research and quick thinking shown by the participants. He highlighted the value of mooting as a formative experience and stressed the importance of courtroom etiquette and the shared fraternity of the bar.

A special highlight of the evening was the online launch of the book titled "*Access to Justice Through Legal Aid*," edited by Prof. Kailash Jeenger, Faculty of Law at NLUJAA, Assam.

The evening concluded with the much-awaited prize announcements:

- Best Researcher: *Tanya Rawat*, Maharashtra National Law University, Aurangabad



- Best Speaker: *Udish Gautam*, Indian Law Society's Law College, Pune



- Best Memorial (Petitioner): *Dr. Ram Manohar Lohiya National Law University, Lucknow*



- Best Memorial (Respondent): *Maharashtra National Law University, Nagpur*



- Runner-Up: *Maharashtra National Law University, Nagpur*



- Winner: *Indian Law Society's Law College, Pune*



The ceremony marked the end of a brilliant day of legal debate and camaraderie, and left behind a sense of both accomplishment and aspiration among everyone present.

The vote of thanks was delivered by the Convener of the Moot Court Committee, Mr. Aroni Dipto Swami, following the prize-distribution ceremony. He began by expressing deep gratitude to the Honourable Judges of the Gauhati High Court and to Mr. Kalyan Rai Surana, the Chief Guest of the Valedictory Ceremony. He then acknowledged the Vice-Chancellor and the University Administration for their unwavering support, as well as the esteemed collaborators, Chambers of Abhinav Mishra, Lexuria Lawyers, SCC Online, and SCC Times. Finally, he conveyed heartfelt appreciation to the judges, volunteers, administrative staff, faculty members, participants, and all members of the Organising Committee for their dedicated efforts in making the event a success.