

Moot Problem-1 [For preliminary & Quarter-final round]

Tejpal Singh was a young boy of 25 years belonging to an affluent political family. He belongs to the Jat community which was considered to be very influential, major land holders and financially well off in the State and the particular Area. His father Rajpal Singh had been a member of the ruling party in the State but split up from the party in June 2015 due to some differences with the party office bearers.

There were happening some movement in the country as well as in the State regarding giving reservation to the Gujar Community in Government jobs and the Higher education. The State Government thus announced the reservation for the same in the State that eventually caused a turmoil and unrest among the other community in general and the Jaats in particular as they were also demanding the same. As a result, Tejpal Singh who was having interest in the state politics, viewed it as a good opportunity fulfill his political ambitions and thus initiate a movement for giving reservation to the members of his community also. The country, at the same time also facing claims for the reservation from the Muslim community, which was given in the State against which a petition was filed and pending in the concerned High Court being ultra vires the Constitutional provisions.

Tejpal Singh formed a new political party named 'Jaat Aarakshan Andolan Samiti' and announced that the party will place its candidates in the forthcoming Municipal and Panchayat polls in the State.

Tejpal Singh initiated a nationwide movement in favour of the reservation of the Jat Community. Many marches and protests were staged in favour of the reservation for the community. During one of such protests on 27th September, one boy named Raman Singh tried for self-immolation and was admitted to the hospital with 75% burns. On 1st October, a clipping was shown on the National news channel showing Tejpal saying to Raman Singh admitted to the hospital that "those who create such sufferings for you need to be burnt, just watch what we will do now. Our community brothers will teach them a lesson".

Subsequently, a rally was organized in Pratapgarh on 10th October. The permission for the rally was not granted by the concerned authorities as it could disturb the public peace and harmony. Tejpal on the contrary decided to have the rally on the same place despite not having permission for the same. As the political environment was very hot due to his movement, the local police was directed to keep a close watch on him so that no unwanted occurrences may happen. The rally ground was surrounded by the police and most of the eminent people of the community were arrested while they were going to the rally ground to hear Tejpal. Tejpal somehow managed to reach the ground and gave a short speech there. While giving his speech; he cursed the ruling party a lot. One of the objectionable parts of his speech was-

"This government has appointed dogs to watch me but they must know that we Jats are not afraid of them. A bunch of stupid are ruling the State letting these Pigs to eat up our share. They need to know that we have the power to revolution, which will come and in the flames of which, these gangs of stupid will be burnt alive and on their ashes will be established a Government which will work for the poor, deprived and downtrodden people of India."

Soon after the rally, Tejpal was arrested by the police. During his arrest, Tejpal gave the statement that government is adopting the appeasement policy. He shouted the slogan, "Kar do sabko saaf, Raj karega Jaat". Following his arrest, the State witnessed a large-scale violence in many parts of it in which 15 people were killed and above 100 were injured.

It was alleged by the police that at the time of his arrest, Tejpal was in possession of a country made revolver and live cartridges. It was contended that the recording was done by one of the two accomplices, also a freelance reporter, who accompanied Tejpal to the hospital. The video clipping was obtained by the police from the news channel and sent for the FSL for voice spectography test, the report of which was awaited till this petition. An FIR was lodged against him and he was booked under Sec 120-A, 121, 124-A, 153-A, 153-B, 188, 505 IPC.

This is the petition filed on behalf of Tejpal before the High Court of the State to drop all the charges against him.