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3rd ARGUENDO, LAW FEST

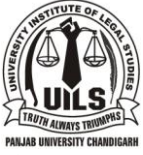
ALL INDIA GURCHARAN SINGH TULSI CRIMINAL LAW ANNUAL MOOT COURT
COMPETITION, 2017

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All characters in the above problem are fictional. Any resemblance to a person living or dead is purely coincidental, unintentional and not intended to hurt anybody's sentiments.

Moot Court Society



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THE STATE (UNION TERRITORY OF CHANDIGARH)

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V.

1. Vaibhav Ahuja s/o Sh. Nikhilesh Ahuja.
2. Nikhilesh Ahuja S/o Late Shri Kalu Ram
3. Kanya Kumari Ahuja w/o Sh. Nikhilesh.
4. Snapcomm. Inc

On the basis of the evidence on record, there is sufficient material to make out the offences against Accused No.1 charged with S302, 304 B, 498A of the Indian Penal Code, 1860 charges and S 72, 65 and 67 of I T (Information Technology) Act, 2000. Offences made out against Accused No. 2 u/s 302, 304 B and 498A of the Indian Penal Code, 1860. Offences made out against Accused Number 3&Accused No.1 is charged with Sections 302, 304 B, 498A of the IPC and section 72, 65, 67 of IT Act. Accused no 4 is charged u/s 72, 67, 65 of IT Act.

List of Annexure and Exhibits:

1. First Information Report
2. Statements under Section 161 Cr.P.C
3. Mohalla Compromise
4. Post Mortem Report
5. Snapcomm Privacy Policy
6. Whatsapp Chats between Mrs Harmeet Kamra and the deceased

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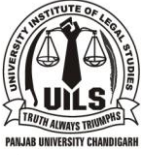
**Annexure 1: First Information of a Cognizable Crime Reported u/s
154, Criminal Procedure Code**

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1. State: *Chandigarh (Union Territory) Police Station: Police Station, Sector-11, Chandigarh.*
2. CaseNo.: *155/16*
3. Date of occurrence: *3rd March, 2016*
4. Time of occurrence : *Around 8:30 pm*
5. Statutes: *Indian Penal Code, 1860 and Information Technology Act, 2000.*
6. General Reference Entry: *2016/14*
7. Informant's name: *Mrs Harmeet Kamra*
8. Address : *#666, Sector 7-M, Chandigarh.*
9. Nationality: *Indian*
10. Age: *58*
11. Basis of information received: *Mrs Harmeet Kamra*
12. Information received: *On March 3rd, we received a call from the Medical Officer on duty at PGI, about a case of domestic violence. On reaching the hospital, we found the victim had passed away but had given a dying declaration to the Medical Officer. Further the mother of the deceased, Mrs Harmeet Kamra, gave a statement on the basis of which we registered an FIR.*
13. Suspected accused with particulars: *Vaibhav Ahuja s/o Sh. Nikhilesh Ahuja.*



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Nikhilesh Ahuja S/o Late Shri Kalu Ram

Kanya kumarai Ahuja w/o Sh. Nikhilesh.

14. Reasons for delay in reporting by informant: *No delay; informed immediately*
15. Signature/thumb impression of complainant/informant: *Mrs Harmeet Kamra*
16. Signature of Office-in-charge, Police station: *I.O., Chand Singh*
17. Date of F.I.R: *10:30 P.M. 3rd March, 2016.*
18. Date and time of dispatch to the Court: *11:00 am, 4th March, 2016.*



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Annexure 2: Order Sheet of Trial Court

UNION TERRITORY OF CHANDIGARH VS VAIBHAV AND OTHERS

Present: APP for the State.

Chand Singh, ASI in person

The proclamation u/s 82 of Cr.P.C issued for the accused Vaibhav. Statement of Chand Singh also recorded. The said proclamation is effected 14.04.2016 as he was called several times but fails to secure his presence on or before the stipulated time i.e. 30 days. Therefore the said Vaibhav declared P.O. Copy of this order be sent to SHO of concerned for proceeding u/s 174(A) of IPC

(Mashoor Arora)

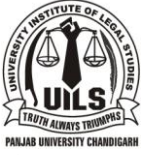
CJM, Chandigarh

14.04.2016.

Statement of Chand Singh also recorded

That during the investigation we came to know that the accused No. 1 namely Vaibhav absconded to Australia due to which the warrant of arrest not executed of accused No. 1.

UNION TERRITORY OF CHANDIGARH VS VAIBHAV AND OTHERS



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Present: APP for the State.

Accused in custody Present with Defence Counsel.

That the challan has been filed by the police after completion of their investigation against the accused persons. Copy of challan is supplied to the accused persons free of cost in compliance of Section 207 of Cr. P. C.

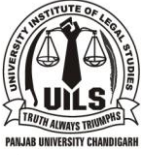
After the perusal of the case, the case is made out under sections 302, 304 B, 498 A of the IPC, charges under sections 72, 67 and 65 of the IT Act. As the case is triable exclusively by the Court of Session the same is committed to the Court of Session in compliance of section 209 of Criminal Procedure code and notify to the PP as per FORM NO. 31.

(Mashoor Arora)

CJM, Chandigarh

02.06.2016.

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UNION TERRITORY VS VAIBHAV AND OTHERS

Present: Public Prosecutor for the State.

Accused in custody Present with Defence Counsel.

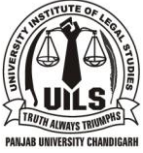
That the case has been received in compliance of section 209 of Cr.PC by CJM. The learned defence counsel moved an application for grant of regular bail (Accused 2&3). As the investigation is complete and challan has been presented, it will not serve any purpose to keep the accused behind the bars. So the regular bail is granted against the bail bond of Rupees 50,000/- each. The matter to come up on next date i.e. on 24.12.2016 for the consideration of charges.

(Baburao Gupta)

ASJ, Chandigarh

12.12.2016.

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UNION TERRITORY VS VAIBHAV AND OTHERS

Present: Public Prosecutor for the State.

Accused on bail Present with Defence Counsel.

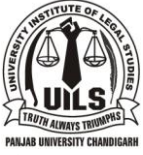
Arguments addressed by the prosecution regarding consideration of charge under sections 302, 304 B, 498A of the IPC and sections 72, 67 and 65 of IT Act. It is pleaded by the prosecution that all the charges against the accused are prima facie according to the Police investigation report.

In reply, defence stated that no case of any kind is made against the accused persons. The charges made under these sections are false and denied. Accused are old person. So, prayer is made for dismissal of the case.

Heard and considered. In view of the contents of the report under section 173 Cr.P.C. and the complaint made by the complainant, there are sufficient grounds that the charges that are made out do exist against the accused persons.

Further the charges are framed against the accused in the presence of accused and complainant and **read over to accused and they pleaded not guilty.**

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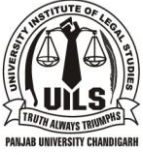
Further the Accused No. 1 has been declared Proclaimed offender and the Public Prosecutor moved an application for the extradition of accused No. 1 namely Vaibhav. The copy of an application is provided to the defence and reply to be filed on the next date.

Now to come up with the prosecution evidence on next date i.e. 02.02.2017 and for the argument on the application for Extradition.

(Baburao Gupta)
ASJ, Chandigarh
24.12.2016.



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Annexure 3: Statements under Section 161, Cr.P.C.

Statement of Mother of complainant PW-1 (Mrs Harmeet Kamra w/o Mr Narendra Kamra)

Statement of Harmeet Kamra w/o Sh. Narendra Kamra resident of Sector 7, Chandigarh, It is stated that I am a resident of above given address. That my daughter married Shri Vaibhav Ahuja s/o Sh. Nikhilesh Ahuja, resident of #78 Phase-91, Chandigarh on 17.12.2009 with full rites at Hotel Parkview Sector 24 Chandigarh. I am a house wife and my husband is a lecturer at a local college. At the time of marriage, we gave dowry consisting of approximately one set of gold for my daughter's mother-in-law and a ring for the father-in-law. She has one sister-in-law who was given a gold set who later got married. Vaibhav was given clothes with Rs 100,000/- in cash. I gave my daughter 2 gold sets consisting of two gold karahs, one gold ring and a diamond set and two rings. In addition, one T.V, Fridge, almirah, bed, sofa, centre table, mattresses for the beds and some bed covers and utensils. Apart from it, we had given amount of Rs 11,00,000/- to her husband Vaibhav. My daughter worked as a gym receptionist and although her in laws were not too happy with this, Vaibhav convinced them it was a good source of income and thus she should be allowed to continue. My daughter after she returned from her honeymoon in February, she alerted me to the fact that her husband introduced some temporary photo service application and had tricked her into sending naked photos of her while he was away on business. On returning from the trip he often taunted about lack of dowry and blackmailed that the photos would be leaked if she did not cooperate. I was scared but I told her to adapt as it was a new marriage. I sent a gold chain and many other gifts in an attempt to pacify them but to no avail. It is all that stupid applications fault. I was worried when they started hitting her and she had to take the matter to a mohalla committee to get a mohalla compromise which we thought would help if husband wife could just live alone. But this never was executed. When Katrina got pregnant in November 2010 my husband and I had to beg the in laws not to get an abortion. On 2nd September 2011 my granddaughter Lucky was born. However they didn't help in bringing

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her up. It is we only who helped provide money for her care. Often my daughter complained that they hit her and would not treat Lucky well. But I always told her to make it work as it is important for a family to stick together especially now that they had a daughter. I could never tell her to get a divorce as I was scared that her photos maybe leaked and destroy our reputation. It is that entire applications fault. On March 2nd 2016 her naked photos were circulated online and I had no words to express how ashamed we were about everything. We were in no position to help her and now they have killed her and its all my fault.

Statement of Sakshi Sahni PW 2

I am Katrina's neighbor and friend. She had told me that her husband used to blackmail her for money with her intimate pictures and that she was also abused by her in laws. She was suffering from depression and used to see counsellor Dr Harnoor Sandhu for the same. She was very sad. She was only happy when she was with her daughter or at work. Multiple times I asked her if there was someone else at work but she always denied it and said she just had friends and would never ever be unfaithful. On March 3rd 2016 at 8:30 p.m., I heard Katrina yelling "*I want this torture to end*" and saw Katrina toppled over from the first floor to the ground. I immediately rushed her to PGI along with her daughter Lucky, who was unconscious. En route PGI, she told me that "*Vaibhav once again demanded money to go to Australia last week, when I said I have none and will leave him he threatened to put my photos on the net. His parents knew about the photos and often threatened to release them as well. After 6 years of torture, I told him I want a divorce and I'm not scared of him or his family. He beat me up and released the photos on the first of March. My parents and I suffered humiliation in front of society. Today I was packing to leave when that ***** of a mother in law tried to hit my daughter who had high fever and when I prevented her from doing so, she and my father in law hit me. In the meantime my husband also came to the room. I said that I want a divorce to end this torture to which my husband agreed and asked where I was going as I had walked out of the room with Lucky. I said to end this torture and get a divorce. Vaibhav pushed me into the balcony and Those ***** threw me over the wall*" I was not shocked to hear this they had been torturing her. I was just like 'oh my God ! I was

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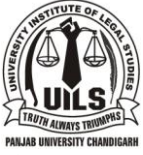
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so scared like totally terrified. I wish I had done something sooner. Her balcony had a tall wall to make it child proof for Lucky. There was no way she could have jumped it. She was not that strong. They threw her. Now her husband is partying in Australia. I've seen him on Instagram. It makes me sick.

Statement of Lucky Ahuja PW3

I don't like Daddy, I like Mommy, Mommy is good, she plays with me and makes me eat food but daddy doesn't even talk to me. He does not even meet me I keep looking for him but I don't find him at home. He hits mommy whenever he comes home. I am scared of him. My Daadiji is also bad she hit because I broke her watch. I was very sick so I dropped it I was feeling very hot. My mommy protected me but Daadiji again hit her. Even Dadaji just stood there and did nothing. They went into the balcony and I followed them but I started feeling cold and I fell. I woke when I heard my mummy screaming. Daadiji and daddy were pushing her over the wall. I ran downstairs but I don't remember what I saw. I woke up with Sakshi aunty in the hospital. I've been with Nanaji and Naniji since then. They are nice but seem to be very sad. I do not like Dadi ji, Dada ji and Daddy. I want to be with mommy. I really miss her. Where is she?

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Statement of Chand Singh (IO) PW4

I am Chand Singh, the investigating officer in the case. At around 9:30 p.m. on 3rd of March, 2016, I got a call at the Sector 11 police station from the Medical Officer namely Dr. Sardul Singh, from PGI hospital regarding the admission of a serious patient suffering from severe injuries due to which he suspected was domestic violence. I, along with Constable Chaman Lal left the PS and we reached the hospital at 9:45 pm. The patient was in emergency ward. When we reached the spot, the victim had already died because of injuries sustained. Dr. Sardul Singh made a short statement as follows:

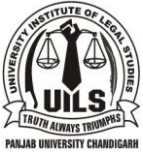
The patient was brought to the hospital at 9 pm in a very critical condition by her friend and neighbour. There was swelling, visible deformity and compound fracture and dislocation of lower ends of both bones of the right leg. Left shoulder dislocated and shoulder socket broken, Bruising found on the inside of the right arm.

While trying to attend the patient, the MO was witness to a dying declaration by the patient stating that she was sick of the torture. The MO could not record the statement in writing because she passed away.

After recording the statement of the MO, we tried and failed to locate her husband. However, the parents of the deceased and her best friend Sakshi were present in the hospital. I recorded the statement of the mother based on which the FIR was registered. The statement of her mother Harmeet Kamra w/o Mr Narendra Kamra is as under:

“They killed her. My daughter Katrina was killed by her husband and her in laws. Her husband Vaibhav released her naked photos on the internet two days ago. The phone application she used was for the purpose of temporary photos. They were never meant to be saved. Snapcomm are also responsible for her death. Vaibhav used to hit her and his parents also used to demand dowry all the time. She had been suffering for 6 years. Sakshi told me they threw her over the balcony wall. Her husband and in laws are not here, they are probably running away, find them I beg you!

We registered the FIR and thereafter proceeded to the crime scene and inspected the same. There was an entire mohalla of people on the crime scene trying and hence, we felt the



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evidence was deteriorated/destroyed/contaminated. We cleared the crime scene and sealed the spot. Kanya Kumari Ahuja and Nikhilesh Ahuja were found on the spot but Vaibhav Ahuja was missing. On inquiring to his whereabouts we were informed that he had gone to the hospital but he was not found. It was a two storied house and the Ahuja's lived on the 2nd floor.

It was a 3 BHK premise. On inspection of the house we found that there were two packed suitcases lying in the marital bedroom of the deceased. Apart from this we found empty packets of Setraline 150 mg as well as empty miniatures of various alcohol bottles. At the spot, the balcony had sliding glass doors, one such door was broken there were pieces of glass on the balcony. The balcony had a 2ft concrete wall with a 3ft 7 inch railing on top of it. I also saw a stool of height 2ft 6 inches lying in the balcony. There were many signs of scuffles on the bottom part of the wall. In addition, there were bloodstains but they could not be identified as they were already contaminated. During the investigation we also recovered the phone of Mrs Kanya Kumari and recovered the intimate photos of the deceased, yet they were not circulated from the phone. The photos bore the sign of SNAPCOMM in the form of a timer. The mother of the deceased identified it to be a photo of the deceased.

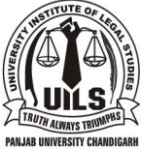
Further the photos were available on many sites but seemed to have first been published on an anonymous file sharing website shareyourfilesmate.com which was based in Australia. This allows users to anonymously publish photos and other files while keeping their identity hidden. Despite repeated communications, the website has refused to respond.

Sensing a case of homicidal death and up on the information so received, FIR was registered by mother against the accused (Vaibhav Ahuja, Kanya Kumari Ahuja and Nikhilesh Ahuja). Further the application Snapcomm was also charged with Sections 65, 67 and 72 of IT (Information Technology)Act . Kanya Kumari Ahuja and Nikhilesh Ahuja were arrested while Vaibhav Ahuja is absconding.

Sd/-

I.O.Chand Singh

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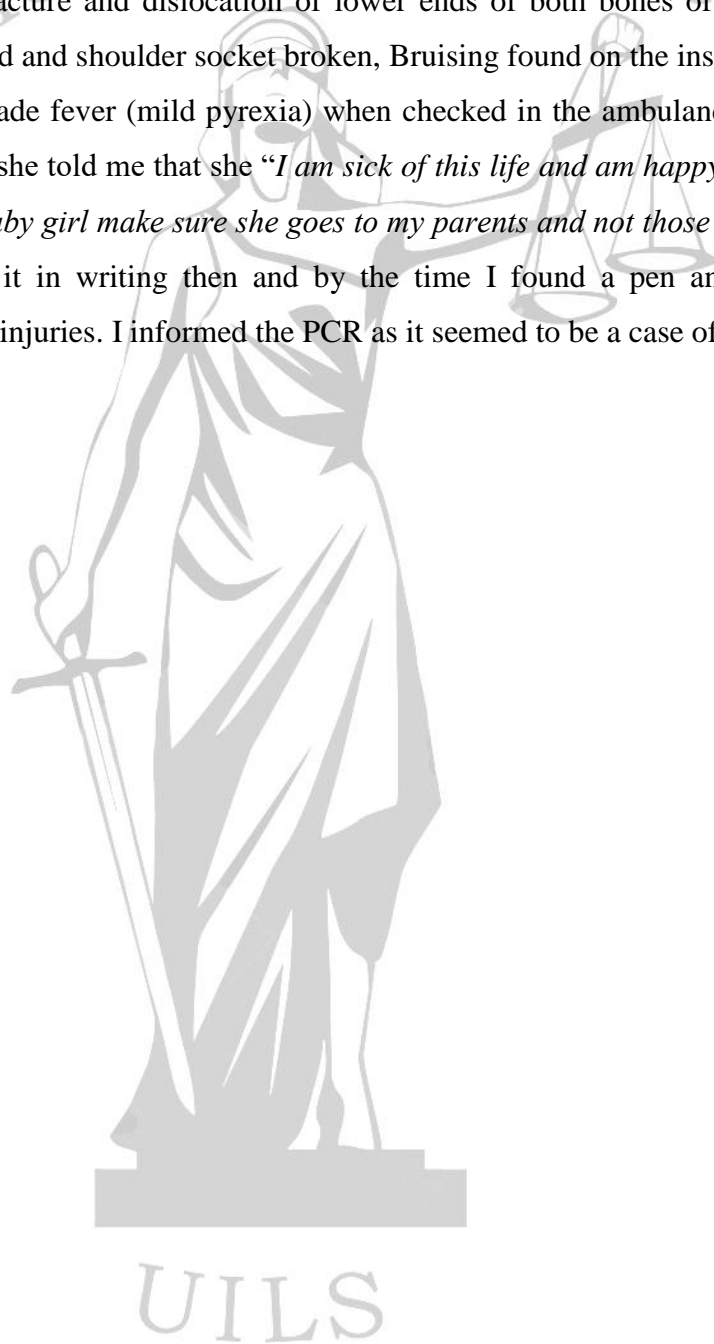
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Statement of Dr Sardul Singh (Medical Officer, PGI) PW-5

The patient was brought to the hospital at 2.05 pm in a very critical condition. Her daughter Lucky was running high fever of 104 degrees celsius. There was swelling, visible deformity and compound fracture and dislocation of lower ends of both bones of the right leg. Left shoulder dislocated and shoulder socket broken, Bruising found on the inside of the right arm. Running a low grade fever (mild pyrexia) when checked in the ambulance. While trying to attend the patient she told me that she *“I am sick of this life and am happy it was ending. Just take care of my baby girl make sure she goes to my parents and not those horrid monsters”*. I could not record it in writing then and by the time I found a pen and a paper she had succumbed to her injuries. I informed the PCR as it seemed to be a case of domestic violence.



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Annexure 4: Compromise Agreement

This Compromise/agreement is made on this 10th Day, of July, 2010 at Mohalla, between:-
Katrina Ahuja w/o Sh. Vaibhav Ahuja (Hereinafter called as Party No.1).

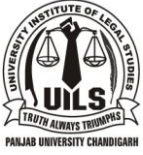
AND

5. Vaibhav Ahuja s/o Sh. Nikhilesh Ahuja.
6. Nikhilesh Ahuja S/o Late Shri Kalu Ram
7. Kanya kumara Ahuja w/o Sh. Nikhilesh. (Hereinafter called as Party No.2).

Whereas the party no. 2 namely Vaibhav has married with Katrina on 17-12-2009 in accordance with Hindu Rites at Chandigarh and out of the wedlock of parties, a female child was born on 2-11-2011.

That the first party has agreed to settle the dispute with the Second Party on the following terms and conditions:-

1. That it has been agreed and decided by the Husband and Wife to live separately from their parents by taking separate accommodation within Chandigarh and all the Household articles will be provided by the Husband and it is his responsibility to shift all dowry articles from his parents to the satisfaction of his wife. The gold ornaments have been returned to Katrina and for the same she has given a sworn affidavit.
2. That the second party i.e. Husband(only) has agreed to pay a sum of Rs. 2 lacs to his wife (out of which the F.D. of Rs. 1.50 lacs and Rs. 50000/- in cash/cheque in order to build confidence in his wife and he further agreed to pay a sum of Rs. 10000/- per month as pocket expenses which includes minor household expenses to manage the day to day life and the entire major expenses including House hold expenses, house rent, Electricity,



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Water charges, Charges towards the welfare of the child and his wife, shall be borne by the husband.

3. That it has been agreed between the parties that there will be no interference from the parents of either party and both husband and wife will live together peacefully and will respect to each other and their parents. If there are any minor differences between the parties then they will inform to a Mediator (The Head of The Mohalla Committee) and all the parties will sit together and settle the dispute.
4. That the husband will not resort to violence against the wife or the child, under any circumstance. If the husband fails to do this, the Mohalla committee will take appropriate steps to ensure their divorce, should the wife agree.
5. That it has been agreed between the parties that the husband will not claim any amount of money from his wife either as dowry or as right. Further, his travelling expenses are also not the responsibility of the wife. She may however still give him gifts of her own free will.
6. That both the parties have agreed that they will maintain a peaceful house and happy married life, keeping in view of the welfare of the child.
7. That the said decision of the parties has been taken by them voluntarily, with their own free will and consent, without any Coercion, duress or undue influence or by exercise of any misrepresentation or fraud.
8. That both the parties have agreed that if the husband did not pay the sum of Rs. 10,000/- per month to his wife on each month and provide all the facilities then both the parties would have their independent right to initiate and defend the Civil as well as Criminal Proceedings against each other.

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9. That if both the parties failed to comply with the conditions then the agreement will have no effect.

10. That the parties undertake to comply with all the terms and conditions of this compromise/ agreement.

IN WITNESS WHEREOF, the parties have put their respective hands on this compromise/agreement after reading, understanding and admitting the contents of the same as true and correct on the day, month and year first mentioned above at Mohali , in the presence of the witnesses.

PARTY NO. 1

Katrina Ahuja

PARTYNO. 2

Vaibhav Ahuja

Kanya Kumari Ahuja

Nikhilesh Ahuja

WITNESS 1

SAKSHI SAHNI (Resident of Mohalla)

WITNESS 2

RAHUL CHOPRA (Secretary Mohalla Compromise Committee)

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Annexure 5: Post Mortem Report

POST MORTEM FINDINGS FOR CASE NO: 155/16

BODY IDENTIFIED BY: Neighbour, Ms Sakshi Sahni

DATE AND HOUR OF STARTING AUTOPSY: 4 March 2016 at 10 am

DATE AND HOUR OF CONCLUDING AUTOPSY: 4 March 2016 at 10:40 am

1. NAME OF DECEASED:., Katrina Ahuja
2. W/O: Shri Vaibhav Ahuja AGE: 28yrs.' SEX: Female
3. ADDRESS: #78 Phase-91, Chandigarh
4. HEIGHT: 5 ft 5 inches WEIGHT: 56 kgs PHYSIQUE: Normal Built
5. SPECIAL IDENTIFICATION FEATURES: Mole on forehead (towards right)

The incident happened around 8:30 p.m. The deceased sustained injuries for which she was admitted in the emergency unit of the hospital. She subsequently succumbed to her injuries within 1 hour of admission. A complete and thorough medico-legal autopsy was conducted on the body of the deceased on the next day.

The details of the injuries are described below.

It was found that the deceased was of moderate to average built. Rigor mortis was well developed. The post mortem lividity was faintly developed over back except over the areas of contact flattening. The post-mortem lividity was fixed. There was oozing of blood from the nostril of the deceased. She had suffered external injuries in the form of multiple irregular abrasions with subjacent contusions, irregular grazed abrasions and irregular uncommon lacerations.

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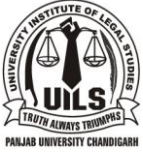
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On External Examination:

- a. Swelling, visible deformity and compound fracture and dislocation of lower ends of both bones of the right leg, fracture of Talus and cuboid bones of the right foot. Left shoulder dislocated and shoulder socket broken, suggestive of side impact.
- b. Bruising found on the inside of the right arm. Skin residue found on the under-side of the deceased's nails, do not match the deceased's DNA.

On Internal Examination:

- a). Subarachnoid haemorrhage about 20 ml at the base of the brain.
- b). Contusions of the intercostals muscles of the right side of the chest over the front from the clavicle down to the level of the 6th rib and over the outer aspect, along the 7th, 8th and 9th intercostals spaces of size maximum 18 cm X 16 cm and minimum 11.5 cm X 13.5 cm.
- c). Contusions of the intercostal muscle of the left side of the chest over the front extending downwards from 1st rib to the 6th rib size 19.5 cm X 16.5 cm and over the front and outer aspect of the 9th and 10th intercostal spaces, size 6 cm X 10 cm associated with undisplaced fracture of the 9th and 10th rib in anterior axillary line.
- d). Displaced fracture of the 7th rib on right side and 2nd, 3rd and 4th ribs on the left side at their costovertebral junction.
- e). Tearing of the pleura at sites subjacent to the displaced fractures of ribs.
- f). Avulsion of posterior attachments of the domes of the diaphragm on both sides.
- g). Contusion of both lungs.
- h). Two irregular tears over the posterior aspect of the right lobe of the liver.
- i). Contusion of the right psoas muscle along its entire length.
- j). Fracture of the body and alae of the sacrum with dislocations of the lumbosacral and both sacroiliac joints.
- k). Fracture dislocation of pubic symphysis.
- l). Fracture dislocation of atlanto occipital joint. Seemingly by whiplash and impact. Fracture of the temporal bone of the cranium on the left side causing trauma and internal bleeding.
- m. 2600 ml of fluid blood was drained and 440 gm of clots was evacuated from the sub diaphragmatic space of both sides.



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Cause of Death:

Massive internal bleeding and haemorrhaging in the abdominal cavity and cranium.

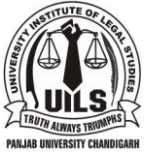
Final Observations:

Blood alcohol levels are elevated to very high above normal. Deceased Presented with major head trauma, internal bleeding and broken bones including right arm fractured at 3 places, left wrist suffered a nightstick fracture, bruising on the face, broken clavicle, both legs fractured. And 3 ribs cracked. Initial impact does not seem to be on the brain; however, the whiplash effect of the fall caused internal bleeding in the cranium and a concussion.

Sd/-
Dr. Roshni Kaura
Medical Officer
PGI, Chandigarh



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Annexure 6: Snapcomm Privacy Policy¹

Snapcomm is a fast and fun way to share experiences with your friends and the world around you. You can send a photo or video Snap to friends, chronicle your day through Story, touch base using Chat, immerse yourself in global events through Live, and enjoy handcrafted stories from the world's top publishers on Discover.

When you use these services— and any others, we at Snapcomm Inc. roll out, whether in the Snapcomm app or elsewhere—you'll share some information with us. We get that it can affect your privacy. So we want to be upfront about the information we collect, how we use it, whom we share it with, and the choices we give you to control, access, and update your information.

That is why we have written this Privacy Policy. In addition, it is why; we have tried to write it in a way that is blissfully free of the legalese that often clouds these documents.

Information We Collect

There are three basic categories of information we collect

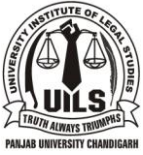
- **Information you choose to give us.**
- **Information we get when you use our services.**
- **Information we get from third parties.**

Here is a little more detail on each of these categories.

Information You Choose to Give Us

When you interact with our services, we collect the information that you choose to share with us. For example, most of our services require you to set up a basic Snapcomm account, so we need to collect a few important details about you, such as: a unique username you'd like to go by, a password, an email address, a phone number, and your date of birth. To make it easier for others to find you, we may also ask you to provide us with some additional information that will be publicly visible on our services, such as profile pictures, a name, or other useful identifying information. Other services, such as commerce products, may also require you to provide us with a debit or credit card number and its associated account information.

¹ This is an inherent part of their terms of service, which have been agreed to.



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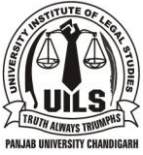
Of course, you will also provide us whatever information you send through the services, such as Snaps and Chats to your friends. Keep in mind that the users you send Snaps, Chats, and any other content to cannot save that content or copy it outside the app. So, the same common sense that applies to the Internet at large applies to Snapcomm as well: **Don't send messages or share content that you wouldn't want someone to save or share although it won't last on our server for than 10 seconds unless you wish it too.**

It probably is understood, but we will say it anyway: When you contact Snapcomm Support or communicate with us in any other way, we will collect whatever information you volunteer.

Information We Get When You Use Our Services

When you use our services, we collect information about which of those services you have used and how you have used them. We might know, for instance, that you watched a particular Live Story, saw a specific ad for a certain period, and sent a few Snaps to friends. Here is full explanation of the types of information we collect when you use our services

- **Usage Information:** We collect information about your activity through our services. For example, we may collect information about:
 - How you interact with the services, such as which filters you view or apply to Snaps, which channels you watch or discover, or which search queries you submit.
 - How you communicate with other Snapcommers, such as their names, the time and date of your communications, the number of messages you exchange with your friends, which friends you exchange messages with the most, and your interactions with messages (such as when you open a message or capture a screenshot).
- **Content Information:** We collect information about the content you provide such as if the recipient has viewed the content and the metadata that is provided with the content.

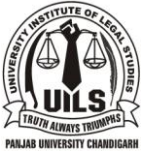


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- **Device Information:** We collect device-specific information, such as the hardware model, operating system version, advertising identifier, unique application identifiers, unique device identifiers, browser type, language, wireless network, and mobile network information (including the mobile phone number).
- **Device Phonebook:** Because Snapcomm is all about communicating with friends, we may-with -your consent—collect information from your device’s phonebook.
- **Camera and Photos:** Many of our services require us to collect images and other information from your device’s camera and photos. For example, you will not be able to send Snaps or upload photos from your camera roll unless we can access your camera or photos. However, we do not store your photos and do not allow anyone to access them after 10 seconds without your prior permission. Should you consent we will keep them as long as we like.
- **Location Information:** When you use our services, we may collect information about your location. With your consent, we may also collect information about your precise location using methods that include GPS, wireless networks, cell towers, Wi-Fi access points, and other sensors, such as gyroscopes, accelerometers, and compasses.
- **Information Collected by Cookies and Other Technologies:** Like most online services and mobile applications, we may use cookies and other technologies, such as web beacons, web storage, and unique advertising identifiers, to collect information about your activity, browser, and device. We may also use these technologies to collect information when you interact with services we offer through one of our partners, such as commerce features. Most web browsers are set to accept cookies by default. If you prefer, you can usually remove or reject browser cookies through the settings on your browser or device..
- **Log Information:** We also collect log information when you use our website. That information includes, among other things:
 - Details about how you have used our services.



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- Device information, such as your web browser type and language.
- Access times.
- Pages viewed.
- IP address.
- Identifiers associated with cookies or other technologies that may uniquely identify your device or browser.
- Pages you visited before or after navigating to our website.

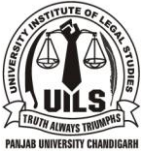
Information We Collect from Third Parties

We may collect information that other users provide about you when they use our services. For example, if another user allows us to collect information from their device phonebook—and you are one of that user’s contacts—we may combine the information we collect from that user’s phonebook with other information we have collected about you. We may also obtain information from other companies that are owned by or operated by us or any other third party sources and combines that with the information we collect through our services.

How We Use Information

What do we do with the information we collect? The short answer is: Provide you with an amazing set of products and services that we relentlessly improve. Here are some of the ways we do that:

- Develop, operate, improve, deliver, maintain, and protect our products and services.
- Communicate with you.
- Monitor and analyze trends and usage.
- Personalize the services by, among other things, suggesting friends or profile information, or customizing the content we show you, including ads.
- contextualize your experience



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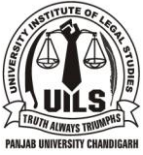
- Improve ad targeting and measurement, including through the use of your precise location data (again, if you've consented to us collecting that data).
- Enhance the safety and security of our products and services.
- Verify your identity and prevent fraud or other unauthorized or illegal activity.
- Use information we have collected from cookies and other technology to enhance the services and your experience with them.
- Enforce our Terms of Service and other usage policies.

We may also store some information locally on your device. For example, we may store information as local cache so that you can open the app and view content faster.

How We Share Information

We may share information about you in the following ways:

- **With other Snapcommnters.** We may share the following information with other Snapcommnters:
 - Information about you, such as your username, and name
 - Information about how you have interacted with the services, such as your Snapcomm "score," the names of Snapcommnters you are friends with, and other information that will help Snapcommnters understand your connections with others using the services. For example, because it may not be clear whether a new friend request comes from someone you actually know, we may share whether you and the requestor have Snapcomm friends in common.
 - Any additional information you have consented for us to share. For example, when you let us access your device phonebook, we may share information about you with other users who have your phone number in their device phonebook.
 - Content you post or send will be shared with other Snapcommnters; how widely your content is shared depends on your personal settings and the type of



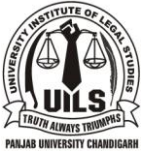
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service you are using. For example, a Snap may be sent to just a single friend you select for a maximum of 10 seconds, but your My Story content may be seen by any Snapcommter whom you allow to see your My Story.

- Web or broadcast in some other media, it may be viewed by the public at large.
- **With our affiliates.** We may share information with entities within the Snap Inc. family of companies.
- **With third parties.** We may share your information with the following third parties:
 - **With service providers, sellers, and partners.** We may share information about you with service providers who perform services on our behalf, sellers that provide goods through our services, and business partners that provide services and functionality.
 - **With third parties for legal reasons.** We may share information about you if we reasonably believe that disclosing the information is needed to:
 - comply with any valid legal process, governmental request, or applicable law, rule, or regulation.
 - investigate, remedy, or enforce potential Terms of Service violations.
 - protect the rights, property, and safety of us, our users, or others.
 - detect and resolve any fraud or security concerns.
 - **With third parties as part of a merger or acquisition.** If Snap Inc. gets involved in a merger, asset sale, financing, liquidation or bankruptcy, or acquisition of all or some portion of our business to another company, we may share your information with that company before and after the transaction closes.



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- **In the aggregate or after de-identification.** We may also share with third parties, such as advertisers, aggregated or de-identified information that cannot reasonably be used to identify you.

Information You Choose to Share with Third Parties

The services may also contain third-party links and search results, include third-party integrations, or offer a co-branded or third-party-branded service. By going to those links, using the third-party integration, or using a co-branded or third-party-branded service, you may be providing information (including personal information) directly to the third party, us, or both. You acknowledge and agree that we are not responsible for how those third parties collect or use your information. As always, we encourage you to review the privacy policies of every third-party website or service that you visit or use, including those third parties you interact with through our services.

How Long We Keep Your Content

Snapcomm lets you capture what it's like to live in the moment. On our end, that means that we automatically delete the content of your Snaps (the photo and video messages that you send your friends) from our servers after we detect that a Snap has been opened by all recipients or has expired. But remember: There are various ways Snapcommers can save your content and also upload it to Snapcomm (like as an attachment in Chat).

Finally—and this is important—you should understand that users who see the content you provide can always save it using any number of techniques: screenshots, in-app functionality, or any other image-capture technology. It's also possible, as with any digital information, that someone might be able to access messages forensically or find them in a device's temporary storage. Keep in mind that, while our systems are designed to carry out our deletion practices automatically, we cannot promise that deletion will occur within a specific timeframe. And we may need to suspend those deletion practices if we receive valid legal process asking us to preserve content or if we receive reports of abuse or other Terms of Service violations. Finally, we may also retain certain information in backup for a limited period of time or as required by law.

Annexure 7: Whatsapp Conversation between Mrs Harmeet Kamra and Katrina

Conversation on 14th February 2010 (The difference of time between 1st and second are merely an error of technology and should not be regarded as a discrepancy)





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Conversation on 19th February 2015



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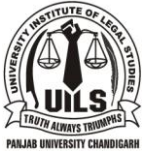
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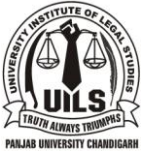
Statement of Defense Witnesses

Dr Harnoor Sandhu- DW-1 (Psychiatrist at Swarg Hospital Chandigarh)

My name is Harnoor Sandhu . I am not comfortable breaking this confidentiality to my patient but as I believe this is relevant to the cause of her death I will. Yes, Katrina was my patient since December 2010. She was suffering from depression due to blackmail and domestic violence. She never told me what they were blackmailing her with. She just told me that it would hurt her parents if she did not cooperate. She also said her in laws used the same threat of blackmail against her as well. They also used to taunt her on various pretexts. She was frustrated and helpless as well as hopeless of leaving the marriage. She felt that her husband would not end the marriage but blackmail her till she died. She was losing weight due to anxiety, she had a lack of interest in daily activities. She had trouble sleeping too with bad dreams. She felt worthless and started paying little attention to personal hygiene or how she looked. As a woman, it severely impacted her self-esteem and this had driven her to drinking alcohol frequently. She would often talk of a death wish and that life would be better if she was dead. Her only worry was her daughter would be left with her in laws. She often used to dream of her in laws disappearing and leaving her and her daughter. She actively hated them. I had prescribed Setraline 100 mg later increasing it to 150 mg. It is a SSRI antidepressant. She however used to say that she feels happy at her job as one client in particular always compliments her.

My last appointment was on the first of March 2016 where she came in almost a state of shock and despair as her intimate photos were all over the internet. I prescribed a sedative and told her to pursue police action. She was hell bent on revenge although I advised her to do nothing rash.

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Statement of Kanya Kumari w/o Sh. Nikhilesh Ahuja DW-2

I am innocent. She jumped of the first floor in a bid to try to frame us. Yes, we were having problems. My son has told me he was only intimate with her before the pregnancy and that to on the honeymoon. She used to send intimate photos to my son. I saw them on his phone. It was disgusting. She had no *sanskar*. Vaibhav often was away for work and she was probably seeing other men. I think she must have sent those photos to a lot of men. How would we know? I often used to tell her not to do these shameless antics. When I first confronted her about the photos, she denied sending them but when I showed them to her, she said it was a romantic gesture for her husband and I had no right to intervene between husband and wife. We never demanded any dowry. She was crazy. She used to see some mind doctor and take drugs. She had stopped dressing up nicely. She was disgracing us in our society and ruining our reputation in our mohalla. It is true that she and my son used to fight. Every couple fights. It is normal. Even my husband and I used to fight, he sometimes slapped me, and I used to stay quiet because I was raised in a good household with good manners. But Katrina was ill-mannered, for example on the 1st of March I heard her yelling at my son that “ *As God is my witness, you all will suffer for what you have done*”. On the 3rd, her spoilt daughter broke my watch, so as a grandmother, I have a right to discipline her. But Katrina intervened and took Lucky away. After this my son came running home to find her heading to the balcony. We all ran after her, but she jumped over the wall. My son has not been seen since then I am scared but I hope he is only hiding and nothing else has happened to him. He is a good man who married a horrible person.

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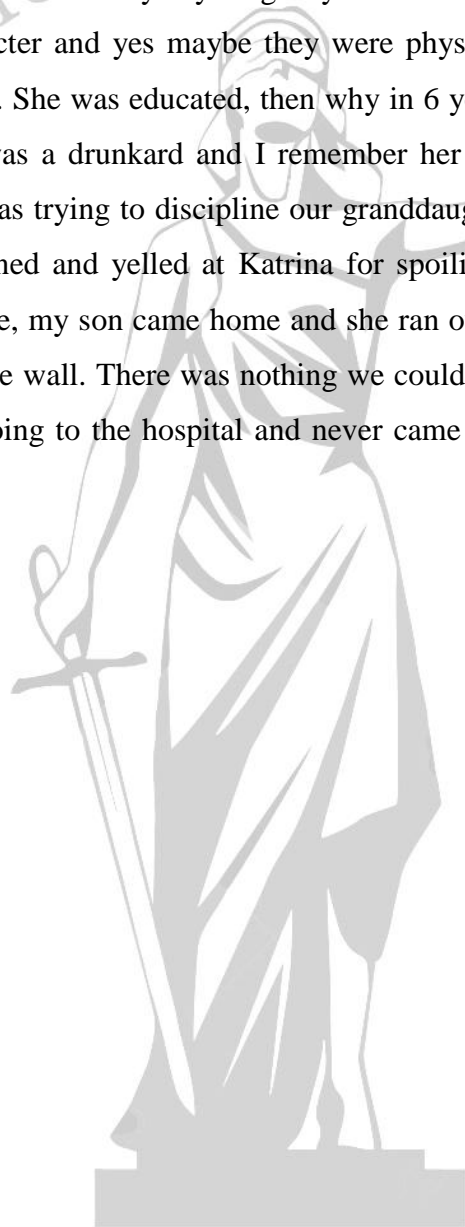
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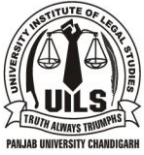
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Statement of Nikhilesh Ahuja S/o Late Shri Kalu Ram DW-3

She was a wretched woman. We never demanded dowry .Yes initially we were upset at what we got and may have taunted a little bit. Her family were very stingy in giving gifts to us. The gifts given were shameful. I will stick to that but after she embarrassed us with mohalla compromise I never use to say anything. My wife and Katrina used to have fights because she was of bad character and yes maybe they were physical but that is so in every house, she never complained. She was educated, then why in 6 years did she not say anything? She had gone mad! She was a drunkard and I remember her stinking of alcohol on the day of her death. My wife was trying to discipline our granddaughter but was stopped by Katrina. This is when I intervened and yelled at Katrina for spoiling Lucky. After this, she went to her room. By this time, my son came home and she ran out into the balcony after talking to him and jumped off the wall. There was nothing we could do. I do not know where my son is as he said he was going to the hospital and never came back. We have filed a missing person report.



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Statement of Anirudh Dassaur Snapcomm C.E.O DW4

I am shocked and embarrassed at the accusation. Our application conforms to all international standards. It is so simple to use that even an uneducated person can use it. Never have we ever had an incident like this anywhere in the world. All our users agree to our privacy policy under the terms of service. We are aware of the dangers but we caution the users. On page 2 of the policy for example it clearly states “*Don't send messages or share content that you wouldn't want someone to save or share*”. It is ludicrous for us to be held responsible for the distribution of the poor girls' photos. It will be a travesty to justice should we be held liable.



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