

REVIVED MOOT PROBLEM

In the state of Lexton, whose socio- legal system is similar to that of India aims at protecting right of LGBT group and homosexuals. However, in Lexton LGBT and homosexual rights aren't recognized. The constitution of Lexton guarantees its citizens the right to privacy as their fundamental right.

Rob and Dillon works as a legal assistant and marketing manager respectively in V&K Pvt. Ltd. In respect of their designations they used to have constant interaction which attracted both of them towards each other and this resulted in carnal intercourse between them.

On communicating about his relation with Rob, Dillon faced severe opposition from his parents and because of their rebellious behavior and regular heated arguments, he decided to move and start living with Rob and his family.

Rob used to reside with his parents and his Uncle Joseph. Rob's mother supported their relationship and respected their relation however; Joseph was against their relationship stating it to be a disgrace upon the society. Rob, being from legal profession was well aware about the LGBT rights and therefore, he denied the outrageous behavior of his Uncle and continued to live with Dillon. Agitated by Rob's move, Joseph decided to emasculate Rob using **dangerous weapon** which led to grievous hurt.

Against which Rob approached the trial court for penalizing him for grievous hurt and for violating his LGBT rights while, Joseph defended his move of emasculation. The trial court awarded Joseph imprisonment for a term of **seven** years and a fine of Rs. 50000 ignoring the unnatural relationship between Rob and Dillon.

Rob appealed in the High Court for awarding more stringent punishment to Joseph and for declaring Sec. 377 of Lexton Penal Court unconstitutional. The high court maintained the decision of lower court and rejected to grant the certificate of appeal.

Special Leave petition was filed by Rob before the honorable Supreme Court for the same. Now, the case is pending before the court for final disposal.