1. Dakshin Pradesh is a constitutionally recognized State in the Union of India. With rapid digitisation in recent years, the State's Cyber Intelligence Unit (CIU) has faced an increase in technologically sophisticated offences, particularly involving synthetic media.

2. On 14 February 2024, at around 6:45 pm, a 51-second video clip surfaced on multiple social media platforms. The clip appeared to show Justice (Retd.) Raghav Chitnis, Chairperson of the Dakshin Pradesh Judicial Reforms Commission, accepting money from an unidentified person while making statements implying corruption within the judiciary.

3. The video went viral within two hours. By the next morning, protests had broken out outside several district courts. Instances of stone pelting, arson, and obstruction of police officers were reported. Considering the situation likely to disturb public tranquillity, prohibitory orders under Section 163 of the Indistaan Nagarik Suraksha Sanhita (INSS), 2023 were imposed in certain districts.

4. On 16 February 2024, the CIU released a preliminary report stating that the video was a deepfake generated using high-precision neural rendering. The report observed that while portions of the clip had been extracted from public speeches delivered by Justice Chitnis over the past decade, the crucial incriminating segments were synthetically generated.

5. The CIU traced the initial point of transmission to a closed-group server hosted on a foreign cloud service. The login credentials used belonged to Mr. Arnav Vashisht, a 29- year-old software developer residing in Siyapur City. Arnav is known for his freelance work involving animation tools and generative AI technology.

6. Acting under Sections 105 and 185 INSS, the police searched Arnav's apartment on 22 February 2024, seizing his laptop, external drives, and access to his cloud accounts. Arnav was arrested the same evening.

7. According to the police, the devices contained multiple Generative Adversarial Network (GAN) models, data fragments extracted from publicly available videos of Justice Chitnis, and a rendering file whose metadata partially matched the viral deepfake. The CIU forensic report concluded that there exists a high probability that the deepfake was generated using tools located on the accused's system.

8. Arnav has consistently denied any involvement. He claims:

a. His system had been compromised weeks before his arrest due to a security   vulnerability in a third-party plugin.

b. The AI models found on the device were part of a commissioned animation project unrelated to the viral clip.

c. The metadata match resulted from automatic caching performed by video-editing libraries.

d. The search and seizure process violated mandatory requirements under the Indistaan Sakshya Adhiniyam (ISA) 2023, particularly regarding the handling and preservation of digital evidence.

9. On **25 July 2024,** the Trial Court framed charges under:

- Sections 113 (terrorism), 152 (acts endangering sovereignty), 196 (promoting enmity), Section 353 (statements causing public mischief), 336 (forgery of electronic records), 340 (use of forged electronic records), and 356 (defamation) of the Indistaan Nyaya Sanhita (INS), 2023, and
- Sections 66D and 66F of the Information Technology Act, 2000.

10. On 12 November 2024, the Trial Court convicted Arnav on all charges. It held that even if direct authorship was not conclusively established, the presence of AI-generation tools and datasets sufficiently indicated active participation. The Court further held that the consequences of the video—mass protests and attacks on public officials—fell within the expanded definition of Section 113 INS (terrorism).

11. The High Court of Dakshin Pradesh upheld the conviction, observing that deepfake technology is capable of destabilising constitutional institutions and that courts must adopt a precautionary approach where technologically advanced offences are concerned.

12. Aggrieved, Arnav filed a Criminal Appeal before the Supreme Court of Indistaan, arguing violations of Articles 14, 19(1)(a), and 21, improper reliance on inconclusive digital evidence under the ISA 2023, and procedural irregularities in the investigation under the INSS 2023.

13. The Supreme Court admitted the appeal on 10 January 2025 and framed issues for
final hearing.

ISSUES FOR CONSIDERATION

1. Whether the circulation of a deepfake video—without conclusive proof of intent to threaten security—falls within the ambit of terrorism under Section 113 of the INSIndistaan Nyaya Sanhita, 2023.

2. Whether the digital evidence relied upon by the prosecution satisfies the evidentiary requirements under the Indistaan Sakshya Adhiniyam, 2023, particularly concerning chain-of-custody, metadata integrity, and forensic certification.

3. Whether the arrest, search, and seizure conducted by the Dakshin Pradesh Police were in compliance with the procedural safeguards mandated under the INSS 2023-Indistaan Nagarik Suraksha Sanhita, 2023.

4. Whether mere possession or use of generative AI tools can attract criminal liability for electronic forgery under Sections 336 and 340 INS in the absence of direct authorship.

5. Whether the application of Sections 152, 196, and 353 of the Indistaan Nyaya Sanhita violates the appellant's rights under Articles 14, 19, and 21 of the Constitution of India.

CLARIFICATIONS

1. All names, places, and institutions mentioned in this proposition are purely fictional.
2. The Indistaan Nyaya Sanhita (INS), Indistaan Nagarik Suraksha Sanhita (INSS), and Indistaan Sakshya Adhiniyam (ISA) are fully in force for the purposes of this moot.
3. Participants may rely on international and comparative jurisprudence.
4. The question of sentence or punishment is not before the Court.

No fact outside the proposition may be presumed unless it is a matter of general public knowledge or established legal principle.

Any ambiguity shall be clarified only through formal clarification rounds.

66 Moot Proposition

PRAYER

- The **Appellant** seeks:

1. Setting aside of the conviction;
2. A declaration on admissibility standards for AI-related digital evidence;
3. Appropriate constitutional reliefs.

- The **State** seeks:

1. Dismissal of the appeal;
2. Judicial recognition of deepfake-based offences as a serious threat warranting strict criminal interpretation.

Note: INS 2023, INSS 2023 & ISA 2023. corresponds with BNS 2023, BNSS 2023 & BSA 2023.