

CASE RECORD

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BACKGROUND OF FACTS.

Background of Kret.

1. Kret is a country located in the heart of Europe. It is bordered by Germany to the North, Austria to the South and the Czech Republic to the East. The country covers an area of about 1,25,000 square kilometres, and has a population of approximately 50 million people. The capital of Kret is Emerald City.
2. Kret has a rich history that dates back several centuries. It was once part of the Austro-Hungarian Empire and had also been occupied by the Nazis during World War II. Kret is known for its stunning natural beauty, with vast forests, rolling hills and picturesque lakes. The country also has a rich cultural heritage, with traditional folk music and dance being an important part of its identity. The economy of Kret is primarily driven by agriculture, manufacturing, and tourism.
3. On 3rd January 1944, the Nazis were driven out with the aid of a large number of troops that had been sent by the Allied Forces. The Second World War led to nearly all of the Kretan population being wiped out. In order to rebuild the country, the troops of the Allied Forces stayed back and settled in Kret. The fallout of the Second World War led to great destruction and suffering for the people. There was no system of law and order till the people decided to adopt the Westminster style of parliamentary government.
4. Over 75% of the population in Kret is of foreign heritage/descent following foreign customs, traditions and languages. Kret's common law system is based upon the Common Law Legal System and its judiciary follows American, English and other commonwealth precedents including on procedural law. Every year 3rd of January is celebrated as Kret's Establishment Day with a large parade that runs through the high street in Emerald City.
5. The most commonly spoken language of Kret is Kretan. English is also widely spoken and taught in schools as a second language and is the official working language for the legislature, executive and courts.
6. The largest police station in Emerald City is located in Diplomatic Enclave. Detective Inspector (D.I.) P.V. Bain has recently joined Police Station –

Diplomatic Enclave after being transferred from the Railway Police Station, Emerald City. His transfer comes after many of the vendors outside the railway station and railway employees complained that he had been harassing them and demanding bribe money under threat of false prosecution. A few newspaper articles were published in the local dailies claiming that those vendors who did not line Detective Inspector Bain's pockets had been falsely implicated in petty cases, but no action was taken against Detective Inspector Bain.

Background of Ferrwa.

7. Ferrwa is a vibrant and diverse country situated in the northern region of Africa. The nation has a population of approximately 12 million people, with a mix of Berber, Arab, and African cultures. The official language is Arabic, but Berber and French are also widely spoken.
8. Ferrwa is a landlocked country, bordered by Algeria to the West and Libya to the East. Libyan militia and terrorist groups are known to cause trouble for Ferrwa owing to a long-standing border dispute. Ferrwa is known for its vast deserts, ancient ruins, and vibrant markets. Ferrwa's unique blend of cultures and traditions can be seen in its food, music, and architecture. The economy of Ferrwa is driven by agriculture and mining. The country produces a range of crops, including wheat, barley, and dates. It also has significant deposits of minerals, such as phosphate and iron ore. Ferrwa has a constitutional monarchy, with King Hassan as the current monarch. The country has a prime minister, who is responsible for running the government. King Hassan is the guest of honour at this year's Day of Establishment parade in Kret.
9. In anticipation of King Hassan's arrival in Kret, the Ferrwan embassy in coordination with the local police of Kret was making security arrangements. The embassy was also looking after the King's itinerary which included his stay at the Emerald City Hotel and his meetings with various Kretan Ministers and top corporate leaders. His three-day visit is packed with various meetings, lunches, state dinners and visits to historical sites. Mrs. Penny Wats (a Kretan national) who works at the Ferrwan Embassy as Secretary to the Ferrwan Ambassador in Kret, is responsible for the scheduling of King Hassan's visit.
10. Both countries are founding members of the United Nations and are signatories to various treaties and conventions including the Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963.

11. On 24.12.2023, Mr. Sean Wats filed a complaint with his local police station. He informed the police that his wife had gone to work at the Ferrwan Embassy on the night of 23.12.2023 but never returned home and suspects that she has been kidnapped. Her cell phone is unreachable and her car is still parked outside the Ferrwan Embassy. The police registered a Crime Report (“Crime”) under Section 265 Kretan Penal Code (“KPC”) and started investigating her disappearance. The investigation was assigned to Detective Inspector P.V. Bain.
12. Detective Inspector P.V. Bain sought police custody of Mr. J. J. Crook for a period of 15 days from the Court of Learned Metropolitan Magistrate, Emerald City Court Complex, Emerald City - which was granted for 15 days on 25.12.2023 despite various legal objections raised by Mr. J. J. Crook’s lawyers.
13. Meanwhile, the D.I. investigated the case and filed a police investigation report after concluding the investigation against Mr. J. J. Crook. The magistrate has taken a view that offences under S. 202, 103 and 88 KPC are made out and is proceeding to try the case. Mr. Crook continues to be in custody of the police.

The challenge before the Superior Court.

14. Writ Petition Criminal No. 4/2024: Mr. J.J. Crook has moved the Superior Court of Kret by way of a writ petition inter alia seeking his immediate release and challenging the proceedings pending against him including the crime report, police investigation report and the order dated 25.12.2023 passed by the court of Ld. Metropolitan Magistrate, Emerald City Court Complex, Emerald City.
15. The matter has been listed for hearing before the Superior Court in January 2024.

POLICE INVESTIGATION REPORT

Police Station : Diplomatic Enclave

Crime No. : 554/2023

Offences:

- **199 KPC – Culpable homicide.**—Whoever causes death by doing an act with the intention of causing death, or with the intention of causing such bodily injury as is likely to cause death, or with the knowledge that he is likely by such act to cause death, commits the offence of culpable homicide. Illustrations

(a) A lays sticks and turf over a pit, with the intention of thereby causing death, or with the knowledge that death is likely to be thereby caused. Z believing the ground to be firm, treads on it, falls in and is killed. A has committed the offence of culpable homicide.

(b) A knows Z to be behind a bush. B does not know it A, intending to cause, or knowing it to be likely to cause Z's death, induces B to fire at the bush. B fires and kills Z. Here B may be guilty of no offence; but A has committed the offence of culpable homicide.

(c) A, by shooting at a fowl with intent to kill and steal it, kills B who is behind a bush; A not knowing that he was there. Here, although A was doing an unlawful act, he was not guilty of culpable homicide, as he did not intend to kill B, or to cause death by doing an act that he knew was likely to cause death.

Explanation 1.—A person who causes bodily injury to another who is labouring under a disorder, disease or bodily infirmity, and thereby accelerates the death of that other, shall be deemed to have caused his death.

Explanation 2.—Where death is caused by bodily injury, the person who causes such bodily injury shall be deemed to have caused the death, although by resorting to proper remedies and skilful treatment the death might have been prevented.

Explanation 3.—The causing of the death of child in the mother's womb is not homicide. But it may amount to culpable homicide to cause the death of a living child, if any

part of that child has been brought forth, though the child may not have breathed or been completely born.

- **200 KPC – Murder**—Except in the cases hereinafter excepted, culpable homicide is murder, if the act by which the death is caused is done with the intention of causing death, or—

(Secondly) —If it is done with the intention of causing such bodily injury as the offender knows to be likely to cause the death of the person to whom the harm is caused, or—

(Thirdly) —If it is done with the intention of causing bodily injury to any person and the bodily injury intended to be inflicted is sufficient in the ordinary course of nature to cause death, or—

(Fourthly) —If the person committing the act knows that it is so imminently dangerous that it must, in all probability, cause death or such bodily injury as is likely to cause death, and commits such act without any excuse for incurring the risk of causing death or such injury as aforesaid. Illustrations

(a) A shoots Z with the intention of killing him. Z dies in consequence. A commits murder.

(b) A, knowing that Z is labouring under such a disease that a blow is likely to cause his death, strikes him with the intention of causing bodily injury. Z dies in consequence of the blow. A is guilty of murder, although the blow might not have been sufficient in the ordinary course of nature to cause the death of a person in a sound state of health. But if A, not knowing that Z is labouring under any disease, gives him such a blow as would not in the ordinary course of nature kill a person in a sound state of health, here A, although he may intend to cause bodily injury, is not guilty of murder, if he did not intend to cause death, or such bodily injury as in the ordinary course of nature would cause death.

(c) A intentionally gives Z a sword-cut or club-wound sufficient to cause the death of a man in the ordinary course of nature. Z dies in consequence. Here, A is guilty of murder, although he may not have intended to cause Z's death.

(d) A without any excuse fires a loaded cannon into a crowd of persons and kills one of them. A is guilty of murder, although he may not have had a premeditated design to kill any particular individual.

Exception 1.—When culpable homicide is not murder.—Culpable homicide is not murder if the offender, whilst deprived of the power of self-control by grave and sudden provocation, causes the death of the person who gave the provocation or causes the death of any other person by mistake or accident. The above exception is subject to the following provisos:—

(First) —That the provocation is not sought or voluntarily provoked by the offender as an excuse for killing or doing harm to any person.

(Secondly) —That the provocation is not given by anything done in obedience to the law, or by a public servant in the lawful exercise of the powers of such public servant.

(Thirdly) —That the provocation is not given by anything done in the lawful exercise of the right of private defence. Explanation.— Whether the provocation was grave and sudden enough to prevent the offence from amounting to murder is a question of fact.
Illustrations

(a) A, under the influence of passion excited by a provocation given by Z, intentionally kills Y, Z's child. This is murder, in as much as the provocation was not given by the child, and the death of the child was not caused by accident or misfortune in doing an act caused by the provocation.

(b) Y gives grave and sudden provocation to A. A, on this provocation, fires a pistol at Y, neither intending nor knowing himself to be likely to kill Z, who is near him, but out of sight. A kills Z. Here A has not committed murder, but merely culpable homicide.

(c) A is lawfully arrested by Z, a bailiff. A is excited to sudden and violent passion by the arrest, and kills Z. This is murder, in as much as the provocation was given by a thing done by a public servant in the exercise of his powers.

(d) A appears as witness before Z, a Magistrate, Z says that he does not believe a word of A's deposition, and that A has per-

jured himself. A is moved to sudden passion by these words, and kills Z. This is murder.

(e) A attempts to pull Z's nose, Z, in the exercise of the right of private defence, lays hold of A to prevent him from doing so. A is moved to sudden and violent passion in consequence, and kills Z. This is murder, in as much as the provocation was given by a thing done in the exercise of the right of private defence.

(f) Z strikes B. B is by this provocation excited to violent rage. A, a bystander, intending to take advantage of B's rage, and to cause him to kill Z, puts a knife into B's hand for that purpose. B kills Z with the knife. Here B may have committed only culpable homicide, but A is guilty of murder.

Exception 2.—Culpable homicide is not murder if the offender, in the exercise in good faith of the right of private defence of person or property, exceeds the power given to him by law and causes the death of the person against whom he is exercising such right of defence without premeditation, and without any intention of doing more harm than is necessary for the purpose of such defence.

Illustration: Z attempts to horsewhip A, not in such a manner as to cause grievous hurt to A. A draws out a pistol. Z persists in the assault. A believing in good faith that he can by no other means prevent himself from being horsewhipped, shoots Z dead. A has not committed murder, but only culpable homicide.

Exception 3.—Culpable homicide is not murder if the offender, being a public servant or aiding a public servant acting for the advancement of public justice, exceeds the powers given to him by law, and causes death by doing an act which he, in good faith, believes to be lawful and necessary for the due discharge of his duty as such public servant and without ill-will towards the person whose death is caused.

Exception 4.—Culpable homicide is not murder if it is committed without premeditation in a sudden fight in the heat of passion upon a sudden quarrel and without the offender having taken undue advantage or acted in a cruel or unusual manner.

Explanation.—It is immaterial in such cases which party offers the provocation or commits the first assault.

Exception 5.—Culpable homicide is not murder when the person whose death is caused, being above the age of eighteen years, suffers death or takes the risk of death with his own consent. Illustration A, by instigation, voluntarily causes, Z, a person under eighteen years of age to commit suicide. Here, on account of Z's youth, he was incapable of giving consent to his own death; A has therefore abetted murder.

- **201 KPC – Culpable homicide by causing death of person other than person whose death was intended.**—If a person, by doing anything which he intends or knows to be likely to cause death, commits culpable homicide by causing the death of any person, whose death he neither intends nor knows himself to be likely to cause, the culpable homicide committed by the offender is of the description of which it would have been if he had caused the death of the person whose death he intended or knew himself to be likely to cause.
- **202 KPC – Punishment for murder.**—Whoever commits murder shall be punished with death, or 1 [imprisonment for life], and shall also be liable to fine.
- **103 KPC – Causing disappearance of evidence of offence, or giving false information to screen offender.**—Whoever, knowing or having reason to believe that an offence has been committed, causes any evidence of the commission of that offence to disappear, with the intention of screening the offender from legal punishment, or with that intention gives any information respecting the offence which he knows or believes to be false; if a capital offence.—shall, if the offence which he knows or believes to have been committed is punishable with death, be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine; if punishable with imprisonment for life.—and if the offence is punishable with imprisonment for life, or with imprisonment which may extend to ten years, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; if punishable with less than ten years' imprisonment.—and if the offence is punishable with imprisonment for any term not extending to ten years, shall be punished with imprisonment of the description provided for the offence, for a term which may extend to one-fourth part of the longest term of the imprisonment provided for the offence, or with fine, or with both.

Illustration A, knowing that B has murdered Z, assists B to hide the body with the intention of screening B from punishment. A is liable to imprisonment of either description for seven years, and also to fine.

- **88 KPC – Acts done by several persons in furtherance of common intention.**—When a criminal act is done by several persons in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone.
- **265 KPC – Kidnapping or abducting with intent secretly and wrongfully to confine person.**—Whoever kidnaps or abducts any person with intent to cause that person to be secretly and wrongfully confined, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

Accused No. (1) : H. E. Mr. Kamrun Hadwan – Ferrwan Ambassador to Kret

Accused No. (2) : Mr. J. J. Crook. – Kretan Citizen.

Date of Crime: 24.12.2023

Complainant : Mr. Sean Wats

Investigating Officer : Detective Inspector P.V. Bain

Facts leading to the registration of FIR No.554/2023 P.S. Diplomatic Enclave, Emerald City.

On 24.12.2023, Mr. Sean Wats filed a complaint with his local police station. He informed the police that his wife had gone to work at the Ferrwan Embassy on the night of 23.12.2023 but never returned home and suspects that she has been kidnapped. Her cell phone is unreachable and her car is still parked outside the Ferrwan Embassy. The police registered a Crime Report (“Crime”) under Section 265 Kretan Penal Code (“KPC”) and started investigating her disappearance. The investigation was assigned to Detective Inspector P. V. Bain (“D.I.”). Below is the police investigation report filed by the police team headed by D.I. P. V. Bain before the Magistrate who is proceeding to try the case.

Result of the investigation.

1. The investigation by the D. I. showed that :
2. Mrs. Penny Wats was in touch with a Libyan terrorist outfit which was planning on assassinating King Hassan during his visit to Kret. Mrs. Wats

being the secretary to the Ferrwan Ambassador had access to the classified information about King Hassan's travel itinerary.

3. On 22.12.2023, Mrs. Penny Wats scanned the classified information using the Embassy office scanner and emailed it to "freeferrwan@kpost.com". The investigation has revealed that the email i.d. belongs to one of the extremist groups from Libya. The D.I. gained access to Mrs. Penny Wats's email after operating her I-Pad which was lying at her home. The password was with Mr. Sean Wats. The I-Pad has since been seized and sent for forensic analysis at a Kretan Government facility.
4. On 23.12.2023, Ms. Prich Voshra an investigative journalist working with the Kretan Post got information about the proposed Libyan attack and contacted H.E. Mr. Kamrun Hadwan for a comment. Shocked by the questions of Ms. Voshra, the ambassador went into a panic. He checked the scanning history of the office printer and found that the travel itinerary and security details of King Hassan had been scanned. He instructed the Security team of the Embassy to inquire. They traced the leak back to Mrs. Wats. On learning of this H.E. Mr. Kamrun Hadwan immediately summoned her to the Embassy on the evening of 23.12.2023.
5. Mrs. Wats drove to the Embassy in her Embassy-issued car and parked it there. When she arrived, she was immediately taken into the Ambassador's office where she was confronted with her acts to which she responded aggressively (being a black belt in Karate and a former Kretan national team member) but she was overpowered and strangulated with a rope by the Ambassador's personal bodyguard— Mr. J. J. Crook. Her body was wrapped in plastic and taken out into the parking lot loaded into an embassy car and removed from the Embassy at night.
6. Ms. Voshra witnessed all the events of 23.12.2023 from outside the Embassy as she had camped outside the Embassy on 23.12.2023. When she found out that a Crime had been lodged she contacted the undersigned. The D.I. has recorded her statement.
7. The Ferrwan Ambassador – H. E. Mr. Kamrun Hadwan has since left Kret on a chartered flight from a private airstrip located outside Emerald City.
8. After recording Mrs. Voshra's statement, the D.I. went to investigate the premises of the Embassy on 24.12.2023. The Embassy guards did not allow the D.I. to enter. Even after an official communication and formal request were sent by the Ministry of Foreign Affairs and the Ministry of Internal Affairs of Kret to the Ambassador, the request was denied. While the D.I.

was waiting outside the Embassy, he heard sounds of electrical sparking emanating from inside the Embassy premises. Upon closer inspection, he suspected that a fire might be imminent.

9. Concerned about the safety of the occupants of the building, to prevent a fire as also evidence of the crime from being destroyed the D.I. arranged to gain entry into the Embassy and investigate the offence through the service entrance. Once inside the Embassy, despite protests of sovereignty, by the Embassy officials present, the D.I. persuaded them and collected all the CCTV Footage including that of the period of the crime.
10. While in the embassy, the D.I. found the Ambassador's bodyguard using a wet wipe to clean the furniture in the room. When the D.I. stepped into the room – the bodyguard got taken by surprise and his face turned white with fear. He immediately put the wet-wipe in his pocket. His face was that of a guilty person. During the course of the investigation, the D.I. requested and Mr. J. J. Crook (Kretan national) agreed to come to the Diplomatic Enclave Police Station. There he was interrogated by the D.I. and his team.
11. After a couple of hours of questioning using a recently evolved and scientific technique by the Israeli armed forces of Artificial Intelligence driven brain mapping and questioning Mr. J. J. Crook voluntarily wrote a confessional statement admitting his guilt. In this confessional statement, he disclosed the spot where he had burnt the body and tried to destroy the evidence. Mr. Crook was then arrested inside the Diplomatic Enclave Police Station.
12. On 25.12.2023, the D.I. with the aid and assistance of a forensic team went to the spot disclosed by Mr. J. J. Crook. The size of Emerald City Mall's parking lot was approximately 2 square kilometres. There were no cars when the investigation team reached it as it was night-time. The team reached the exact spot which was disclosed by the accused and saw burnt remains of a human body. The area around the body was charred. There was nothing left of the body except half a skull and some teeth which were seized and sent for forensic analysis.
13. On 25.12.2023, the D.I. produced Mr. J. J. Crook before the Magistrate's court along with a remand application where the police were granted 15 days of custody.
14. Some parts of the investigation are still pending and the D.I. seeks the leave of this Hon'ble Court to file a supplementary Police Investigation Report.

15.H.E. Mr. Kamrun Hadwan (who had fled the country) and Mr. J. J. Crook are guilty of the commission of offences under Section 202 (murder), 103 (destruction of evidence) and 88 (common intention) KPC for causing the death of Mrs. Penny Wats.

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Detective Inspector P.V. Bain

Date : 03.01.2024

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INVESTIGATION REPORT.**

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Detective Inspector P.V. Bain

03.01.2024

CRIME REPORT NO.554/2023

Date: 24.12.2023

Dear Sir, I am Mr. Sean Wats. My wife Mrs. Penny Wats has not returned home from her place of employment – the Ferrwan Embassy located in Diplomatic Enclave of Capital City. She was called into work by her boss – H.E. Mr. Kamrun Hadwan on the evening of 23.12.2023. She got up in a panic and left the house without saying anything to me. She went to the embassy in her red-colored Corvette. Since last evening she has not returned home, and her phone is also not reachable. No one at the embassy has any answers and her car is still lying in the parking lot. I fear she may have been kidnapped or even worse killed. Please help me find my wife.

-sd-

Mr. Sean Wats

ARREST NOTE

1.	Case No. & Section of Law	Crime No.554/2023 date 23.12.2023 u/s 265 KPC.
2.	Date, time and place of arrest	24.12.2023 at Ferrwa Embassy in room of the Ambassador.
3.	Age/Date of birth	45 years (Date of Birth – 05.09.1978)
4.	Name and designation of Officer effecting arrest	Mr. P. V. Bain Detective Inspector, Diplomatic Enclave Police Station.
5.	Name and address of witnesses	1. Mr. Steve Pladimun – security guard stationed at Ferrwan Embassy.
6.	Whether the grounds of arrest have been explained (in vernacular if possible) to the accused	Yes. He has been informed that he is accused of the murder of Mrs. Penny Wats and he was caught tampering with evidence of the scene of the crime.
7.	Name and particulars of the persons notified about the arrest of the accused and their relations with the accused.	Intimation is given to his wife – Mrs. Fiona Crook telephonically on the mobile number 60954211.
8.	Whether any visible signs of trauma/injury present of the body of the arrestee	On his hands, there were marks of scratches done by nails.
9.	Any identification mark of the accused (include peculiar physiognomic features also, if present)	Tattoo of King Hassan on his back.
10.	Whether the personal search of the accused carried out if yes description of Articles seized	Yes: (a) One Apple I phone 14 (b) One leather wallet (c) One pistol 9 mm (Czech made) (d) One wet-wipe with faint reddish stains separately seized
11.	Any other remarks	No.

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Detective Inspector P. V. Bain

**STATEMENT OF MRS. PRICH VOSHRA W/O MR. GARFILED
VOSHRA RECORDED ON 24.12.2023 AT P.S. DIPLOMATIC ENCLAVE–**

I have been an investigative journalist for the last 22 years. I have completed my masters in journalism from Grain Tree University and am now working with the Kretan Post for the last 8 years. I received information from an unknown source that someone inside the Ferrwan Embassy is helping a Libyan terrorist group to plan an attack on King Hassan when he visits Kret for the Day of Establishment parade. I followed up on the information and found out from my sources within the Embassy that Mrs. Wats was the one helping the Libyan terrorists. I contacted the Ambassador for a comment but he declined to say anything. On 23.12.23, I saw Mrs. Wats enter the Embassy but never saw her leave. I have learnt from my source within the Embassy that the Ambassador and his associates had killed Mrs. Wats and burnt the body. My confidential sources state that it was the Ambassador's bodyguard – Mr. J. J. Crook who did the deed. I am not bound to and cannot reveal the identity of my source. I have read my statement it is correct.

Statement recorded by

-Sd-

Detective Inspector P.V. Bain

**STATEMENT OF ASI Q. T. LEMBONGAN S/O S.T. LEMBONGAN
RECORDED ON 26.12.2023 AT P.S. DIPLOMATIC ENCLAVE –**

I am posted as Additional Sub-Inspector at Police Station Diplomatic Enclave. On 24.12.2023, I was called by D.I. P.V. Bain to join the investigation in FIR No. 554/2023. I was instructed to accompany the D.I. along with a team of other officers – Additional Sub-Inspector (ASI) Ms. Freya Foul , Head Constable (HC) Mr. Dominic Welss and Head Constable (HC) Mr. Rupert Cox. Before we left the police station we were made to read the FIR and no other information was given to us. The D.I. told us that we must work quickly and there is no time to waste. We went to the Ferrwan Embassy in Diplomatic Enclave. Upon reaching there we were not allowed access to the Embassy. Suddenly we heard sounds of electrical sparking. We used the service entry to gain access to the Embassy so that we could prevent a fire. Under instructions from the D.I. we first broke into the main server room where all the CCTV footage was stored. Our computer expert was shown the relevant server by Embassy officials. The embassy officials claimed sovereignty so ASI Ms. Foul gained access to the computer system by inserting a hacking code. We gained access to the footage of the Ambassador's room. In the footage we witnessed the Ambassador and Mr. J. J. Crook standing over the body of Mrs. Penny Wats. We prepared a seizure memo and copied the CCTV footage onto a storage device. Mr. Crook was seen dragging the body out of the room. While watching the footage D.I. Bain used his phone to record the footage.

After that, we proceeded to the Ambassador's room where we found Mr. J. J. Crook wiping the furniture in the room with a wet-wipe. As soon as we charged into the room he was immediately taken aback – his face turned white with fear. He shouted at us – saying we do not have any authority to be inside the Embassy. D.I. Bain caught hold of him so that he could not escape. Then we prepared a site plan of the room and then seized the wet-wipe.

We then proceeded from the Embassy to the police station. At the police station, Mr. J. J. Crook voluntarily confessed his involvement in the offence.

I have read my statement it is correct.

Statement recorded by
-Sd-
Detective Inspector P.V. Bain

SEARCH CUM SEIZURE MEMO

1.	Case no. & Section		Crime No. 554/2023 under Sections 265 KPC
2.	Date and Time		24.12.2023 at 2:37 pm
3.	Place of recovery		Ferrwan Embassy, Kret
4.	Name of accused		Mr. J. J. Crook
5.	Name of independent witness		-
6.	Description of article/documents seized		
6 (i)	Pen Drive make of Singston serial no. SG0145K789		
6 (ii)	Mobile phone of Rippo Dual Sim having one sim of Pokomo IMEI No. 8821316900 IMEI No. 7823457893		

Today, the D.I. along with a team of officers from Emerald City Police Station entered the Ferrwan Embassy through the service entrance. Once inside the Embassy, we made our way to the server room. ASI Foul hacked into the central database of the Embassy and copied the video footage of the last 30 days onto a pen drive. The computer from which the data was copied could not be lifted as it was bolted to the floor. The entire process was video graphed to prove that there was no form of tampering or manipulation while copying the data. The D.I. used his phone to record the footage of 23rd December from the camera installed in the room of the Ambassador where Mrs. Wats is seen lying on the floor with the Ambassador and Mr. Crook standing next to her body. Mr. Crook is seen dragging the body out of the room. The pen drive and the DI's mobile phone were seized and sealed in plastic bags and sent for forensic examination.

-Sd-
ASI Freya Foul

-Sd-
Inspector P.V. Bain

SEARCH CUM SEIZURE MEMO

1.	Case no. & Section		Crime No. 554/2023 under Sections 265 KPC
2.	Date and Time		24.12.2023 at 2:54 pm
3.	Place of recovery		The room of the Ambassador - Ferrwan Embassy, Kret
4.	Name of accused		Mr. J. J. Crook
5.	Name of independent witness		-
6.	Description of article/documents seized		One crumbled wet wipe with faint reddish stain.

Today on 24.12.2023, the undersigned along with a team of officers from Emerald City Police Station entered the Ferrwa Embassy through the service entrance. Once inside the Embassy we made our way to the Ambassador's office room. When we entered the office room we found Mr. J.J. Crook using a wet-wipe to clean the furniture in the office. The moment he saw the police team, his face went white with shock and fear. His face was full of guilt and he attempted to hide the wet wipe in his pocket. The wet wipe was seized from the pocket of Mr. J. J. Crook. The police team then quickly made a site plan of the Ambassador's room.

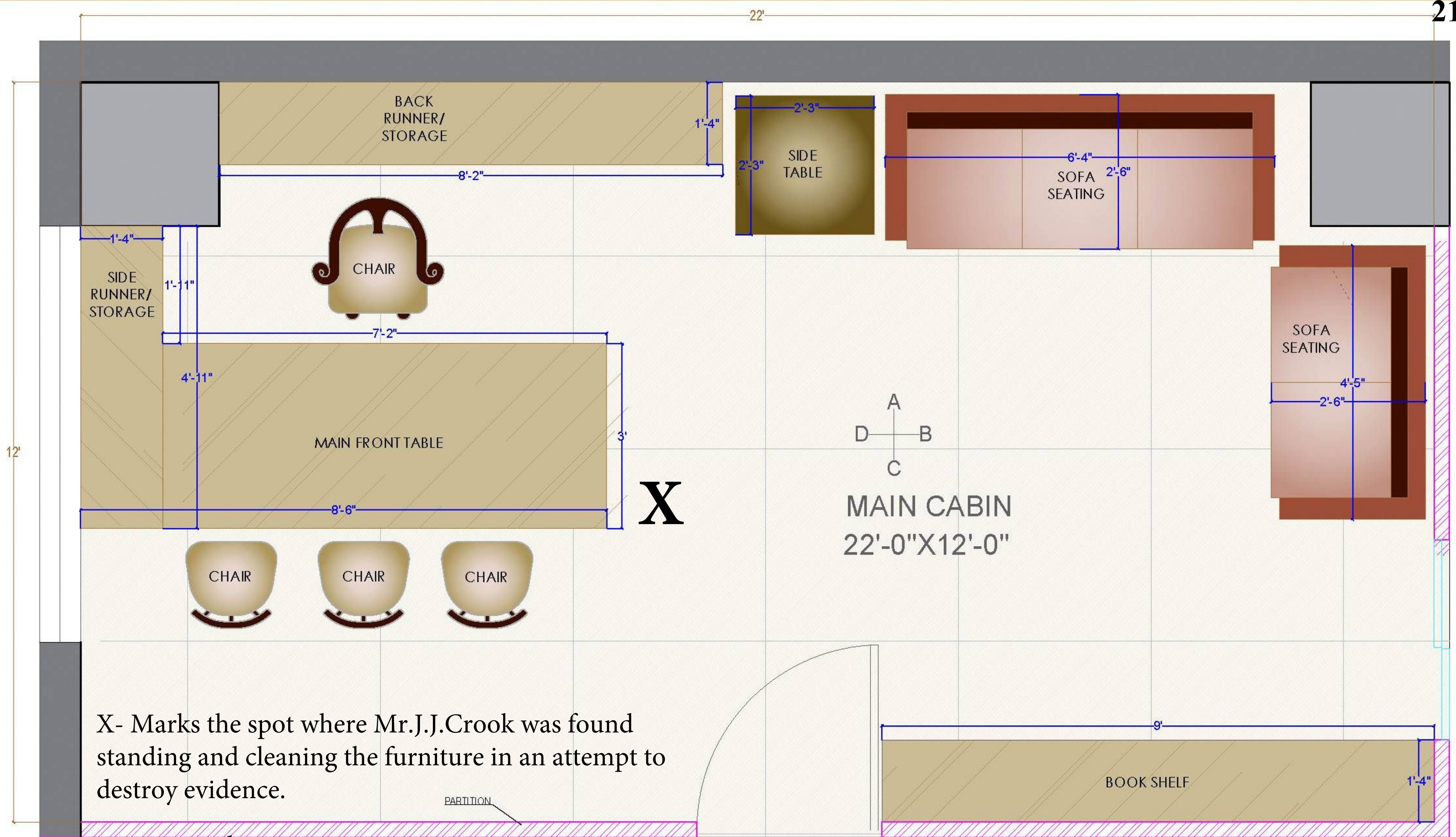
The wet-wipe was transferred to a plastic bag and sent for forensic examination.

-Sd-

J.J. Crook

-Sd-

Detective Inspector P.V. Bain



X- Marks the spot where Mr.J.J.Crook was found standing and cleaning the furniture in an attempt to destroy evidence.

Confessional Statement - Mr. J. J. Crook dated 24.12.2023.

My name is J.J. Crook and I work for Ferrwan Embassy as the head of security and as the head bodyguard of the Ambassador. I am a member of the diplomatic mission. On 23.12.2023, the Ambassador called me to the office. I rushed to the Embassy from my house urgently. When I reached he told me that a reporter contacted him about a possible attack on King Hassan. We went through the CCTV footage and saw Mrs. Wats scanning the travel itinerary of King Hassan. The Ambassador called Mrs.Wats to the Embassy. While waiting for Mrs. Wats, the Ambassador got some telephonic instructions from King Hassan himself. After that something unspeakable happened. One of the other bodyguards told me that he was going to burn in the Emerald City Mall Parking Lot.

-Sd-
J.J. Crook

Site Plan - Dump Yard

FIR 554/2023

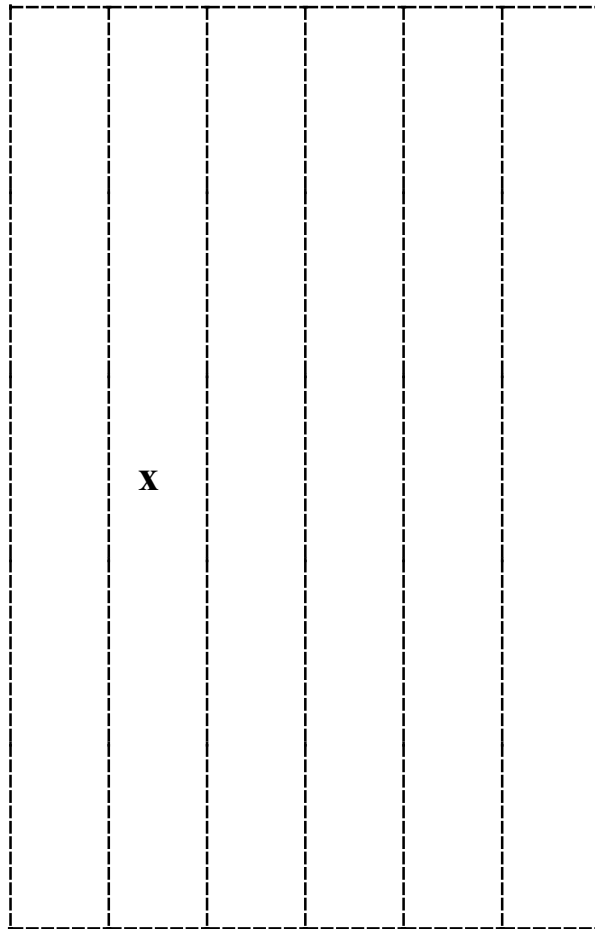
P.S. DIPLOMATIC ENCLAVE

24.12.2023

NOT TO SCALE

EMERALD CITY PARKING LOT

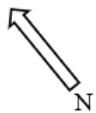
ROW No - A B C D E



Column No.

1
2
3
4
5
6

'X' – Spot where bones,skull & teeth of Mrs. Penny Wats were found. Near - A2 along with burnt area surrounding the spot.



-Sd-
PV BAIN

-Sd-
Freya Fool

-Sd-
Dominic Wells

-Sd-
Rupert Cox

SEARCH CUM SEIZURE MEMO

1.	Case no. & Section	FIR No. 554/2023 under Sections 265 KPC
2.	Date and Time	24.12.2023 at 8:15 pm
3.	Place of recovery	Parking Lot of Emerald City Mall
4.	Name of accused	J. J. Crook
5.	Name of independent witness	-
6.	Description of article/documents seized	(I) Half a human skull (II) Some teeth (III) Few bones

Today on 24.12.2023, the undersigned with a team of officers from Emerald City Police Station reached the Parking Lot of Emerald City Mall. The parking lot was completely empty. During our search of the parking lot, we found an area that had been completely charred and burnt. There was a smell of plastic that had burnt. And within the ashes of the remnants found at the spot, we found half a skull, some teeth and a few bones. The team of forensic experts accompanying us took photographs of the spot and seized the material from the spot. Each article recovered was sealed in a plastic bag and sent to the forensic laboratory

-Sd-
J.J. Crook

-Sd-
ASI Freya Foul

-Sd-
HC Dominic Welss

-Sd-
HC Rupert Cox

-Sd-
Detective Inspector P.V. Bain

**IN THE COURT OF LD. METROPOLITAN MAGISTRATE, EMERALD
CITY COURT COMPLEX, EMERALD CITY, KRET.**

In re:

Emerald City Administration

... Prosecution

Versus

H.E. Mr. Kamrun Hadwan and Anr.

... Accused

P.S. Diplomatic Enclave

Crime No. 554/2023

u/s 202, 103 and 88 KPC.

**APPLICATION ON BEHALF OF THE STATE OF EMERALD CITY
SEEKING 15 DAYS POLICE CUSTODY OF ACCUSED MR. J.J. CROOK.**

1. On 23.12.2023, the present Crime was registered on the complaint of Mr. Sean Wats, husband of Mrs. Penny Wats. He had informed the police that his wife had been missing and he suspected that she had been kidnapped or killed.
2. The investigation revealed that Mrs. Wats parked her car at the Embassy and went into the Embassy. When she arrived, she was immediately taken into the Ambassador's office where she was killed by the Embassy Security in charge – Mr. J.J. Crook and H.E. Mr. Kamrun Hadwan. Her body was wrapped in plastic and taken out into the parking lot, loaded into an embassy car and taken away.
3. The Ferrwan Ambassador has since left Kret on a chartered flight from a private airspace located in Emerald City.
4. On 24.12.2023, during the course of the investigation, the undersigned seized the CCTV footage and other evidence from the Ferrwan Embassy.
5. While in the embassy, the ambassador's body guard was seen using a cloth to clean the furniture in the room. When the undersigned stepped into the room – the bodyguard got taken by surprise and his face turned white with fear. His face was that of a guilty person. During the course of the investigation, the D.I. requested Mr. J.J. Crook to come to the police station for questioning. He was interrogated at the Diplomatic Enclave Police Station. During his interrogation he confessed that he along with the

Ambassador had killed Mrs. Wats. He also confessed the location of where the body had been burnt and disposed-off.

6. On 24.12.2023, the undersigned with the aid and assistance of a forensic team went to the spot disclosed by Mr. J.J. Crook. The Emerald City Mall parking lot was a huge area covering of 2 square kilometres. There were no cars when we reached it as it was night-time. The team reached the exact spot which was disclosed by the accused and saw burnt remains of human body. There was nothing left of the body except half a skull and some teeth. These items were seized and sent for forensic examination.
7. The investigation is at an early stage and custody of the accused is required to understand the entire sequence of events. The accused is not cooperating in the investigation and not telling the complete truth. He is required to be confronted by other witnesses and further evidence is required to be collected.

Prayer

It is most respectfully prayed that :

- A. The Court may grant 15 days of custody of the Accused – Mr. J.J. Crook for investigation;
- B. Any other relief in the interest of justice.

State
Through
Detective Inspector P. V. Bain

Kret
Dated: 25.12.2023

**COURT OF METROPOLITAN MAGISTRATE – 01, EMERALD CITY
COURT COMPLEX, EMERALD CITY, KRET.**

In re:

State v. H.E. Mr. Kamrun Hadwan and Anr.

Crime No. 554/2023

u/s 202, 103 and 88 KPC.

25th December 2023

Special Prosecutor for the State

Mr. Timber Jones. Advocate counsel for the Accused.

ORDER

1. Accused Mr. J.J. Crook produced by Detective Inspector P.V. Bain ("D.I.).
2. Crime No.554/2023 was registered on the complaint of Mr. Sean Wats.
3. Power of Attorney filed on behalf of counsel of the Accused. The same is taken on record.
4. D.I. has moved an application seeking custody of 15 days. The application is opposed by the counsel for the Accused. The application is perused along with case documents. Arguments heard.
5. It is the case of the state that Mr. J.J. Crook has committed the murder of Mrs. Penny Wats along with the Ferrwan Ambassador. The Ferrwan Ambassador has since left Kret without any intimation to the state.
6. As per the prosecution, the deceased was called into her place of work on 23.12.2023. She had shared secret information about King Hassan which lead to a breach in security and also a possible attack on King Hassan during his visit scheduled for 03.01.2024. Noticing the activities the Ambassador and Mr. J. J. Crook killed her in the office of the Ambassador.
7. After she was killed they removed her body in a plastic bag and took it to the Emerald City Mall Parking Lot where it has since been burnt. The place of recovery of the burnt body parts was found subsequent to the confession of Mr. Crook.
8. It is also submitted by the D.I. that Mr. J. J. Crook was seen destroying evidence by cleaning the furniture in the Ambassador's room with a wet wipe. The cloth has since been seized by the D.I.. Apart from the wet wipe the police have seized CCTV footage of the incident. The statement of Ms. Voshra has also been recorded.

9. The Counsel for the accused has opposed the remand application on the following grounds:
 - a. No proof that Mr. J. J. Crook has murdered Mrs. Wats.
 - b. There is no proof that Mrs. Wats is dead.
 - c. The investigation is completely illegal and the D.I. could not have entered the premises of the Embassy.
 - d. The arrest of Mr. J.J. Crook is illegal as he is working directly with the head of a foreign mission and is therefore entitled to immunity.
 - e. The investigation is already complete and no further custody of Mr. Crook is required.
10. The investigation is at an early stage. There are serious allegations of offences committed under Section 202 KPC and even destruction of evidence. The CCTV footage, recovery of burnt body parts, confessional statement of disclosing material facts, statement of Ms. Voshra and the recovery of the wet wipe all point towards Mr. J. J. Crook. The custody of the accused is essential for the investigation of this case. Therefore, the accused is sent to police custody for a period of 15 days.
11. The accused will be produced on the next date i.e. 09.01.2024.
12. Copy of order given to both parties free of cost

-Sd-
Magistrate No.1
Emerald City Court Complex
Emerald City, Kret.

25.12.2023

LEGAL ISSUES BEFORE THE SUPERIOR COURT OF KRET

1. Is Mr. J. J. Crook entitled to diplomatic immunity?
2. Could the D.I. have conducted an investigation into the offences committed inside the premises of the Ferrwan Embassy without the prior consent of the Ferrwan authorities?
3. Was the evidence collected by the D.I. from the Embassy including CCTV footage to be excluded from consideration by the Magistrate, being illegally obtained? ¹
4. Were the further recoveries made including of remains of Mrs. Wats liable to be rejected and excluded from reliance by police on account of objections as to the illegal search at the Embassy and the arrest of Mr. J. J. Crook?

--X--

¹ The principle of using/excluding illegally obtained evidence is evolving in Kret and the view taken in *Pooran Mal v. Director of Inspection (Investigation) New Delhi* and Others reported as [(1974) 1 SCC 345] has not been accepted so far by Kretan Superior Court. Instead, it initially accepted the line of reasoning in *Fermont Weeks v. United States* reported as [1914 SCC OnLine SC 61: 232 US 383 (1914)], but there is no finality in the law yet.