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“MULK (2018): A SOCIO – LEGAL ANALYSIS OF PRESUMPTION OF INNOCENCE AND COLLECTIVE GUILT IN INDIAN CRIMINAL JURISPRUDENCE”

-Mohd. Sahil¹

INTRODUCTION

Mulk (2018) by Anubhav Sinha is a Hindi legal drama that addresses the sensitive and controversial topic of Islamophobia in India. Filmed against the historical city of Varanasi, the movie tracks the social and legal fallout experienced by a Muslim family following the involvement of one of its members in a terrorist attack. In a riveting courtroom drama, Mulk deals with issues of communal bias, nationalism, and religion and terror. The movie features Rishi Kapoor as Murad Ali Mohammed, a senior lawyer, and Taapsee Pannu as Aarti Malhotra, his Hindu daughter-in-law, who stands up for the family in court. At 140 minutes, Mulk is a social commentary as well as a legal thriller that forces one to question one's own prejudices.

This critique summarizes the plot of the movie, details its main facts, analyzes legal issues presented, cites arguments on both sides as presented in the court, and adds critical views from reviews and audience responses. The aim is to give an overall picture of the narrative of Mulk, its legal and social context, and its reception.

SUMMARY OF MOVIE

Mulk starts in Varanasi, a city which is famous for its religious diversity and cultural harmony. Murad Ali Mohammed (Rishi Kapoor), a respected Muslim lawyer, resides in a tightly knit, multi-generational family with his wife Tabassum (Neena Gupta), brother Bilaal (Manoj Pahwa), sister-in-law Chhoti Tabassum (Prachee Shah Pandya), nephew Shahid (Prateik Babbar), and niece Aayat (Eshita Singh). The family is involved in their largely Hindu community, eating together, talking to, and celebrating with neighbors such as Lallan Pandey and Chaubeyji. Murad, affectionately referred to as "Vakeel Saab," is a patriot who enthusiastically follows the Indian cricket team and is secular in outlook.

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The story hits a dramatic turn when Shahid, who has been converted by an Islamic hardliner named Mehfooz Alam, commits a suicide bomb attack on a bus headed from Varanasi to Allahabad and kills 16 individuals. Shahid is later killed in a police shootout, leaving his

family to deal with the aftermath of his actions. Harmony in the community breaks when neighbors become hostile, stoning the Mohammed family and writing "Go back to Pakistan" on their walls. Bilaal is arrested on suspicion of being an accomplice, and Murad, who was originally assigned to defend him, is also identified as a person of interest, leading him to resign as counsel.

Aarti Malhotra (Taapsee Pannu), Hindu daughter-in-law of Murad and a lawyer from London, accepts the case in order to represent Bilaal and Murad. The court becomes the battlefield of a more expansive discussion regarding Islamophobia, terrorism, and patriotism. Santosh Anand (Ashutosh Rana), the public prosecutor, contends that the whole Mohammed family is involved with Shahid's terrorism, rendering Muslims as having a propensity towards anti-national activity. Aarti refutes these accusations by highlighting the innocence of the family and opposing the bias that identifies Islam with terrorism. The trial, conducted under close supervision by Judge Harish Madhok (Kumud Mishra), delves into the meanings of jihad, treason, and terrorism and sees the family struggle with social boycotting and internal mourning.

As the case develops, circumstantial evidence like Shahid's computer (which had on it bomb-making instructions), a transmitter purportedly used for terrorist communication, and CCTV footage of Bilaal providing a lift to Mehfooz Alam is adduced. Aarti maintains they are circumstantial and not enough to establish conspiracy, whereas Anand employs them to fuel his account of communal guilt. Outside the court, Murad disavows radical Muslim voices hailing Shahid's deed as jihad, reasserting his allegiance to India. The film concludes with a strong verdict that defies social prejudice and emphasizes the importance of unity.

IMPORTANT FACTS ABOUT MULK (2018)

A. PRODUCTION AND RELEASE

- Anubhav Sinha directed, wrote, and produced.
- Zee Studios distributed it, shot in Varanasi and Lucknow.
- Released on August 3, 2018, after being postponed from the initial July 13 plan.
- Budget of production: ₹180 million (about US\$2.8 million equivalent in 2023 dollars).
- Box office: Fiscally a failure, unable to recover its cost, but well received by critics.
 - a. (https://en.wikipedia.org/wiki/Mulk_%28film%29)

B. CAST AND CREW

- Main cast: Rishi Kapoor (Murad Ali Mohammed), Taapsee Pannu (Aarti Malhotra), Manoj Pahwa (Bilal Mohammed), Ashutosh Rana (Santosh Anand), Rajat Kapoor (Danish Javed), Neena Gupta (Tabassum), Prateik Babbar (Shahid).
- Supporting roles included local Lucknow theater actors, with Eshita Singh credited as Vartika Singh.
- Cinematography captured Varanasi's cultural juxtaposition, emphasizing Hindu-Muslim coexistence.

C. INSPIRATION AND DEVELOPMENT

- Inspired by a newspaper report about a Muslim family facing persecution due to a member's terrorist act. https://en.wikipedia.org/wiki/Mulk_%28film%29
- Sinha wrote 13–14 drafts, consulting friends like Shoojit Sircar, who praised the script's relevance. https://en.wikipedia.org/wiki/Mulk_%28film%29
- Actors trained intensively: Prateik Babbar researched terrorist David Headley and screened *Among the Believers*, whereas Taapsee Pannu and Ashutosh Rana took cues from retired High Court Judge Nadeem Siddiqi to get realism in the courtroom. https://en.wikipedia.org/wiki/Mulk_%28film%29

D. CONTROVERSY AND CENSORSHIP

- Prohibited in Pakistan by the Central Board of Film Censors for going against censorship guidelines, although the film was not sent for approval. Sinha posted an open letter to people in Pakistan regarding the ban. https://en.wikipedia.org/wiki/Mulk_%28film%29
- In India, the trailer evoked polarized opinions: some blamed the movie for being anti-Muslim while others said it defended terrorists.

<https://www.outlookindia.com/art-entertainment/any-movie-can-run-into-trouble-ive-made-mulk-because-its-for-todays-times-anubha-news-314425>

E. AWARDS AND RECOGNITION

Received Best Story and Best Film at the Filmfare Awards, indicating its critical acclaim in spite of commercial failure.

LEGAL ISSUES DEPICTED IN MOVIE

Mulk focuses on a court case that raises serious issues relating to criminal law, communal bias, and the judicial system in India. The following legal issues are salient:

A. CONSPIRACY AND COMPLICITY IN TERRORISM

- The prosecution accuses Bilaal and Murad of being abettors to Shahid's terrorist act under Section 120B of the Indian Penal Code (criminal conspiracy) and the Unlawful Activities (Prevention) Act (UAPA) provisions. The proofs are Shahid's laptop, a transmitter, and Bilaal's conversations with Mehfooz Alam.
- Legal issue: Does circumstantial evidence (e.g., family connections, possession of materials) suffice to prove guilt in a case of terrorism without direct evidence of intent or participation.

B. PREJUDICE IN LEGAL PROCEEDINGS

- The arguments of the public prosecutor are based primarily on community stereotypes, invoking the notion that Muslims are naturally susceptible to terrorism. This is a concern regarding prejudice in the judicial process, contravening rules of fairness and equality under Article 14 of the Indian Constitution.
- Legal question: In what ways does prejudice impact impartiality of legal proceedings, and what are the measures in place to guarantee an impartial trial?

C. BURDEN OF PROOF

- The defense, represented by Aarti, maintains that the prosecution does not satisfy the burden of proof beyond reasonable doubt, the bedrock of criminal jurisprudence. The evidence is circumstantial, and there is no direct connection between Bilaal or Murad and the attack.
- Legal issue: What is enough evidence in terror cases, and how do courts reconcile national security with individual liberties?

D. POLICE BIAS AND CUSTODIAL TORTURE

- Bilaal is subjected to custodial torture, as suggested in his detention, raising issues of police abuse and contravention of Article 21 (personal liberty and right to life). One of the anti-terror squad officers, Danish Javed (Rajat Kapoor), who is a Muslim, is seen to be excessively strident, perhaps to establish his allegiance, raising suspicions of internal bias among the police.
- Legal question: How affect systemic biases and custodial abuses the integrity of terrorism investigations?

E. RIGHT TO REPUTATION AND DIGNITY

- Ostracism and public shaming of the Mohammed family demonstrate a denial of their right to dignity under Article 21. The film poses the issue whether societal prejudice can nullify legal safeguards.
- Legal issue: Can one pursue legal action for reputational harm resulting from communal prejudice if there is no direct injury?

ARGUMENTS MADE IN THE COURTROOM

Courtroom scenes in *Mulk* are also an encapsulation of the larger national argument regarding Islam and terrorism. Prosecution and defense make competing arguments, which reflect various strains of thought regarding religion, nationalism, and justice.

PROSECUTION ARGUMENTS (SANTOSH ANAND)

A. COMMUNAL GUILT

- Anand asserts that Shahid's actions are not isolated but indicative of a broader Muslim propensity for terrorism. He argues that the Mohammed family, as Muslims, must have been aware of or complicit in Shahid's plans, citing their shared household and religious identity. (<https://www.imdb.com/title/tt7618184/plotsummary/>)
- Evidence: Shahid's computer containing bomb-making guidelines, a transmitter in the residence, and CCTV footage of Bilaal providing a lift to Mehfooz Alam and selling SIM cards without papers.

B. NATIONAL SECURITY

- The prosecution frames the case as a matter of national security, arguing that leniency toward the Mohammed family could embolden other terrorists. Anand repeatedly refers to the victims as “HINDUstanis,” emphasizing a Hindu-majority narrative. (<https://www.ndtv.com/entertainment/mulk-movie-review-rishi-kapoor-taapsee-pannu-outstanding-4-stars-out-of-5-1893800>)
- Claim: Muslims live in poverty, lack education, and are easily swayed by religious extremism, making them a threat to India's unity.

C. CIRCUMSTANTIAL EVIDENCE

- Anand relies on circumstantial evidence to build a conspiracy case, suggesting that the presence of terrorist materials in the house implicates the entire family. He requests Murad's removal as defense counsel, arguing his potential involvement taints the proceedings. (<https://www.imdb.com/title/tt7618184/plotsummary/>)

DEFENSE'S ARGUMENTS (AARTI MALHOTRA)

A. INNOCENCE OF THE FAMILY

- Aarti argues that Bilaal and Murad had no knowledge of Shahid's actions, emphasizing their secular and patriotic lives. She highlights Murad's refusal to accept Shahid's body and his condemnation of the attack as evidence of their innocence.
- (<https://www.imdb.com/title/tt7618184/plotsummary/>)

- Counter-evidence: The transmitter's purpose is unproven, Bilaal's actions (giving a lift, selling SIMs) are routine, and the laptop belonged solely to Shahid.

B. CHALLENGING ISLAMOPHOBIA

- Aarti questions the prosecution's communal bias, arguing that equating Islam with terrorism is unjust. She cites examples of non-Islamic violence (e.g., communal riots, atrocities against marginalized groups) that are not labeled terrorism, challenging the selective application of the term.
- (<https://thebetterindia.com/155907/film-review-mulk/>)
- Key quote: "Terrorism is not just defined by the act of killing. Torturing, intimidating, and cornering someone is also terrorism.
- (<https://www.theweek.in/review/movies/2018/08/03/mulk-review-powerful-film-that-questions-definition-terrorism-terrorists.html>)

C. LEGAL STANDARDS

- Aarti contends that the case of the prosecution is devoid of direct evidence and depends on prejudice instead of facts. She appeals to the policy of "innocent until proven guilty" and asserts that circumstantial evidence is not enough to prove conviction.
- (<https://www.reuters.com/article/world/movie-review-mulk-idUSKBN1KO1H1/>)
- She also personalizes the family, providing testimonies (e.g., the sorrow of Aayat over Shahid's death) to counter Anand's assertion that they don't show remorse
- (<https://www.ndtv.com/entertainment/mulk-movie-review-rishi-kapoor-taapsee-pannu-outstanding-4-stars-out-of-5-1893800>)

JUDICIAL PERSPECTIVE

- Judge Harish Madhok keeps himself impartial and hears both sides out. His ultimate decision (not described here to prevent spoilers) stresses making judgements based on evidence and defying stereotypes, upholding the judiciary's position as a protector of justice.
- (<https://www.imdb.com/title/tt7618184/>)

CRITICAL OPINION ON MOVIE

Mulk was heavily praised by critics for its courageous subject matter and performances, although others observed shortcomings in its delivery. Below is a compilation of opinion from reviews and public responses:

A. CRITICISM FOR RELEVANCE AND PERFORMANCES

- Critics praised Mulk as a timely release that confronts Islamophobia and communal bigotry face to face. The Times of India described it as "a hard-hitting saga that effectively talks about some of the burning issues of our country," awarding it a 4/5 rating.
- (<https://timesofindia.indiatimes.com/entertainment/hindi/movie-reviews/mulk/movie-review/65236099.cms>)
- Rishi Kapoor's performance of Murad was widely acclaimed, with NDTV calling it "bravura" and a highlight of the film's emotional impact. Taapsee Pannu's monologues in the courtroom were picked out as intense, although some criticized her monologues as weak.
- (<https://www.bollywoodhungama.com/movie/mulk/critic-review/mulk-movie-review/>)
- (<https://timesofindia.indiatimes.com/entertainment/hindi/movie-reviews/mulk/movie-review/65236099.cms>)
- The performance of Manoj Pahwa as Bilaal was praised for its tragic depth, with Rediff describing it as the film's standout. Ashutosh Rana's acting as the biased prosecutor was effective, even if some thought it was caricatured.
- (<https://www.rediff.com/movies/review/review-mulk-screams-so-bad-it-mutes-its-distinct-voice/20180803.htm>)
- (<https://letterboxd.com/film/mulk/>)

B. CRITIQUE OF EXECUTION

- Some reviews panned the film's heavy-handedness, especially the courtroom scenes. Reuters stated that the "simplistic and bombastic" presentation belittled the message and that subtlety would have been better.
- a. (<https://www.reuters.com/article/world/movie-review-mulk-idUSKBN1KO1H1/>)
- Hindustan Times awarded it a 3/5, appreciating its intention but regretting the absence of narrative shock and poor scripting in the first half. The melodramatic background score and predictable plot were also sources of criticism.
- (<https://www.hindustantimes.com/bollywood/mulk-movie-review-rishi-kapoor-s-film-is-a-powerful-tale-poorly-told/story-exPiqE2DIoZUo7hKREawBN.html>)
- (<https://timesofindia.indiatimes.com/entertainment/hindi/movie-reviews/mulk/movie-review/65236099.cms>)

- Letterboxd reviews called the movie "preachy and dramatic," with some considering the courtroom oratory to be close to manipulative.
- (<https://letterboxd.com/film/mulk/>)

C. AUDIENCE REACTIONS

- IMDb user reviews are polarized. There were some who praised the film's bravery, with one writing, "An absolutely fantastic film, with a message that could not be more relevant to the times that we live in." Others condemned low ratings as evidence of the prejudices the film is attacking.
- (<https://www.imdb.com/title/tt7618184/reviews/>)
- b. (<https://www.imdb.com/title/tt7618184/>)
- Negative reviews criticized the film for being too didactic or biased, with some accusing it of stereotyping Muslims or being pro-Muslim.
- (<https://www.outlookindia.com/art-entertainment/any-movie-can-run-into-trouble-ive-made-mulk-because-its-for-todays-times-anubha-news-314425>)

D. SOCIAL IMPACT

- The Better India showcased Mulk's significance in de-stereotyping Muslims, comparing it to movies like Chak De India. It underlined the film's appeal for dialogue about communal harmony.
- (<https://thebetterindia.com/155907/film-review-mulk/>)
- The movie generated controversy online, with YouTube trolls accusing it of bias. Sinha said that Hindu and Muslim viewers alike misconstrued the trailer, proving the polarized environment.
- a. (<https://www.outlookindia.com/art-entertainment/any-movie-can-run-into-trouble-ive-made-mulk-because-its-for-todays-times-anubha-news-314425>)

ANALYSIS AND REFLECTION

Mulk is an important movie that grapples with uncomfortable realities regarding communal prejudice in India. Its courtroom drama wonderfully demonstrates how prejudice can penetrate judicial procedures, prompting viewers to challenge stereotypes. The prosecution's points represent actual majoritarian sentiments, while the defense's rejoinders urge fairness and humanity. But the theatricality and absence of subtlety of the film sometimes dilute its effectiveness, as observed by critics.

Legally, *Mulk* truly reflects the difficulties of terrorism cases, in which circumstantial evidence and popular opinion take precedence over facts. It highlights the need for an unbiased judiciary to ensure justice prevails. Socially, the film's portrayal of a Muslim family's isolation rings true with current controversies regarding Islamophobia and nationalism in India and across the world.

Critically, though *Mulk* is not perfect, its purpose and performances make it a must-watch. It acts as a call for action, which prompts people to shun hate narratives and adopt inclusivity. As Sinha explained, "I have seen the divide between both sides and have a take on it," demonstrating personal experiences that make the narrative authentic.

- (<https://www.thehindu.com/entertainment/movies/mulk-presents-my-version-of-nationalism/article24370548.ece>)

CONCLUSION

Mulk (2018) is a deft and provocative legal drama that engages Islamophobia, terrorism, and nationalism in terms of a Muslim family's fight in Varanasi. Its courtroom moments focus on urgent legal concerns, such as conspiracy, bias, and the burden of proof, while framing arguments that reflect societal cleavages. Albeit commercially unsuccessful, the film's critical success, fueled by outstanding performances and a timely message, solidifies its position as a significant work of cinema. By compelling its audience to face their prejudices, *Mulk* is an enduring testament to the cause of justice, compassion, and integration during uncertain times.