

118 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-11858 of 2014
Date of Decision: 20.2.2015**

Balvir Singh Sidhu

....Petitioner

vs.

Harminster Singh Sidhu

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vikas Mehsempuri, Advocate
for the petitioner.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgement should be reported in the Digest?*

Kuldip Singh J.(Oral)

Challenged in the present petition under Section 482 Cr.P.C. is order dated 11.3.2014 passed by learned Addl. Sessions Judge, Ludhiana whereby the summoning of Harminster Singh Sidhu-Naib Tehsildar/respondent under Section 499 read with Sections 500,501 and 120-B of IPC by learned Judicial Magistrate Ist Class, Ludhiana was set aside.

Brief controversy is that Balvir Singh Sidhu present petitioner had filed a criminal complaint against seven persons including Harminster Singh Sidhu-Naib Tehsildar. Petitioner claims that he is a journalist as well as property dealer. He states that as a journalist he is editor of "Justice News" weekly newspaper and publisher of "Sikh Soch" monthly magazine. In the business circle he

is known as "Sidhu Press". It is alleged that in the news item published in the newspaper "Rozana Pehredar" on 27.6.2012 with following heading and sub-heading:-

"MAL VIBHAG CH BARASHTACHAR VIRODHI MOHIM DA DAKKAH TAX WALEYA NU LAGAYA KARARA JHATKA" containing Sub Head "Ludhiana Ch Registration Samay Lakha Rupaye Harrapde Han Dakkah Tax Wale" and also "Dakkah Tax Ughrahun Walaya Di Suchi".

It is stated that in the list, the name of the complainant was mentioned at serial No. 62. It is stated that accused in connivance with each other have called a press conference which was videographed and telecasted on PTC News Channel. On the basis of preliminary evidence led by the complainant learned Judicial Magistrate Ist Class, Ludhiana passed the summoning order in which Harminder Singh Sidhu-Naib Tehsildar/respondent was also summoned vide order dated 14.8.2012.

I have heard learned counsel for the petitioner and gone through the file very carefully.

I am of the view that order of learned Addl. Sessions Judge, Ludhiana does not call for any interference. Complainant has failed to produce documentary evidence to the effect that he is known as "Sidhu Press". In the news item, the name of the present petitioner is nowhere mentioned. It was further held that the official of the newspaper were not summoned to show that the news item was got published by Harminder Singh Sidhu-Naib

Tehsildar/respondent nor any official from the PTC Channel was summoned to show that any publication was made. It was just a publication of the news. Petitioner has failed to prove that it has got any connection with him and that it was published on the behest of Harminder Singh Sidhu-Naib Tehsildar/respondent. It being so no interference in the impugned order is called for .

Accordingly, present petition stands dismissed.

20.2.2015
Ishant

(KULDIP SINGH)
JUDGE