

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No.3628 of 2013

Date of decision:27.07.2015

Gautam Dass Petitioner

Versus

Harlaj Singh Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. H.P.S. Ishar, Advocate for the petitioner.

Navita Singh, J. (Oral)

This petition is filed for challenging the order of acquittal passed by the Judicial Magistrate Ist Class, Budhlada and affirmation of the order in appeal by the Additional Sessions Judge, Mansa.

A complaint had been filed under Sections 500 and 501 IPC on the basis of a news item published in "Daily Spokesman" on 3.2.2006.

The news item was in Gurmukhi which made a mention that in a village located about six kilometers from Bareta, on the 40th anniversary of Garib Dass and 1st anniversary of Mahant Gautam Dass, a woman was kicked by one 'Sadh' when she tried to pay obeisance. Also it was mentioned that the Sadh was dancing half naked with orchestra.

The petitioner is nowhere named in the news item.

It is submitted that there is only one Sadh in that dera and, therefore, it is clear that the news item relates to the petitioner.

This argument is too far fetched as identity of the person regarding whom the news item was published is not at all disclosed. It was rightly held by the Courts below that the complainant had miserably failed

to prove that the news item Ex.C1 was related to him in any manner. This short ground alone was sufficient to dismiss the complaint.

The present petition is also dismissed.

27.07.2015
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(NAVITA SINGH)
JUDGE