

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

CRM-A-1294-MA-2017

DATE OF DECISION:-15.11.2018

MAHENDER SINGH

...PETITIONER...

V.

JEEWAN LAL AND ORS.

...RESPONDENTS...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Keshav Pratap Singh, Advocate for the applicant.

RAMENDRA JAIN, J. (ORAL)

Through instant application under Section 378 (4) Cr.P.C., applicant-complainant has prayed for grant of leave to file appeal.

Briefly, on the complaint of applicant-complainant, under Sections 182, 193, 195-A, 203, 500, 504, 506 and 120-B IPC, the respondents were summoned and tried under Sections 193, 500, 506 and 120-B IPC only, but were charge-sheeted under Sections 500 and 120-B IPC only, on the allegations that to harass the complainant and his family, the respondents-accused were filing repeated false and frivolous complaints against the complainant and his family members, concocting false stories that they were taking undue advantage from the government by showing their father dead and that the complainant had caused the death of two unknown persons in a road accident.

After holding trial, respondents were acquitted, vide judgment dated 29.03.2017.

Learned counsel contends that respondents have illegally and

wrongly been acquitted by the trial court under Exception Eighth of Section 500 IPC without appreciating the fact that they had defamed and lowered down the reputation and image of applicant-complainant and his family members in the eyes of public at large.

Having gone through the impugned judgment and giving thoughtful consideration to the submission raised by learned counsel for the applicant, this Court finds instant application completely devoid of merit for the reasons to follow:-

According to exception Eighth of Section 500 IPC, accusation made in good faith to a lawful authority, does not amount to defamation.

In the instant case, respondents only twice made complaints against the applicant-complainant i.e. once before SDM Hodal for taking benefits of government policies/grants by falsely showing their father dead and another before Police for causing death by them of two unknown persons in a road accident. Though, the said complaints of the respondents were found false, but it does not, ipso facto, prove the malafide intention of the respondents to defame and cause harm to the reputation of applicant and his family members.

In view of the above discussion, this Court does not find any illegality in the impugned order.

Accordingly, the instant petition is dismissed.

15.11.2018

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whether speaking/reasoned:

whether reportable:

Yes/No

Yes/No

(RAMENDRA JAIN)

JUDGE