

IN THE HIGH COURT OF PUNJAB AND HARYANAAT CHANDIGARH

CRM-M-5013-2013
Reserved on: 18.04.2023
Pronounced on: 16.05.2023

Daljit Singh Grewal ...Petitioner

Versus

Ram Singh and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rajesh Punj, Advocate for the petitioner(s).

Mr. Amit Singh Sethi, Advocate for respondent No.1

Petition qua respondent No.2 dismissed of as withdrawn
Vide order dated 13.02.2013

ANOOP CHITKARA, J.

FIR	Dated	Police Station	Sections
11	16.01.2001	Sadar Ludhiana	420, 467, 468, 471, 120B IPC

Criminal Case no. before trial Court	Complaint No.499/500 IPC Police Station: Division no.5, Ludhiana
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1. Aggrieved by the order passed by Sessions Court, wherein the order of issuance of notice to the respondents by the trial Court under section 499 & 500 IPC, was set aside, the petitioner had come up before this Court under Section 482 of Code of Criminal Procedure, 1973 (CrPC) seeking quashing the order dated 07.12.2022 and all consequent proceedings.
2. The petitioner's grievance is that respondent No. 1 and his wife [(respondent No.2. Gurinder Kaur, now case withdrawn) and deleted from array respondents], had leveled false fabricated allegation against him and got registered FIR under Prevention of Corruption Act. The petitioner was arrested in the said FIR and had to obtain bail. After much efforts and protracted litigation, the police filed a cancellation report and closed the case. The police also filed a report under 182 Cr.P.C. against respondent Ram Singh. The petitioner's grudge is that at the time of registration of FIR massive publicity was made in newspapers with a view to defame him.

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3. Vide order dated 29/04/2006, the Judicial Magistrate Ist Class, Ludhiana summoned both the accused respondents. Aggrieved by said summoning respondent filed criminal revisions under section 397 Cr.P.C. Vide impugned judgment dated 07/12/2012, Additional Sessions Judge Ludhiana quashed and set aside order of issuance of the summons. Aggrieved against that order the petitioner had come up before this court way back in 2013 by filing a petition under section 482 Cr.P.C.

4. I have heard counsel for the parties and have gone through the paper book.

5. The trial court had summoned the respondent accused based upon allegations and statement of the petitioner that newspapers reports were defamatory. He even prove one such newspaper report. Based on the said statement and newspaper report trial court issued summons against the petitioner. A perusal of the impugned order does not even mention that who were the persons in whose presence the petitioner's reputation had impaired. Section 299 IPC deals with defamation and acts. There is nothing on record to show that new item was surfaced on the instruction of respondent No.1.

Given above, no ground is made out to interfere with the well reasoned order of revisional court and the present petition is dismissed. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

16.05.2023
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Whether speaking/reasoned:	Yes
Whether reportable:	No.