



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

(114)

RSA-366-2023 (O&M)
Date of Decision:-**03.02.2026**

SURJEET SINGH

... Appellant

Versus

KULWINDER SINGH AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Aman Bansal, Advocate with
Mrs. Anjali Bansal, Advocate
for the appellant.

VIRINDER AGGARWAL, J. (Oral)

1. Through the present Regular Second Appeal (for short “RSA”), the appellant-plaintiff has approached this Court seeking to set aside the judgment and decree dated 19.05.2022 rendered by the learned Additional District Judge, Patiala, whereby the judgment and decree dated 18.10.2019 passed by the learned Civil Judge (Junior Division), Patiala was affirmed. The trial Court had dismissed the suit instituted by the appellant-plaintiff seeking damages for defamation to the tune of ₹1,00,000/-. The appellant has questioned the concurrent findings of the Courts below on the ground that the same are manifestly erroneous, legally untenable, and unsupported by the evidence on record.



2. Upon a scrupulous distillation of the factual matrix pleaded in the plaint, the gravamen of the plaintiff's cause of action crystallizes as follows:-

“The plaintiff, a Head Constable, seeks exemplary damages for defamation totaling Rs. 1,00,000, asserting that the defendants maliciously submitted a vexatious complaint to the Senior Superintendent of Police, Patiala. The complaint—imputing administrative misconduct, political interference, and attempted encroachment on Shamlat land—was rendered non-est following a formal inquiry by the SHO and DSP, who characterized the allegations as unsubstantiated. The plaintiff contends these per se defamatory imputations were engineered in bad faith to tarnish his professional standing and social reputation, devoid of any public interest, thereby necessitating the instant suit for tortious liability.”

3. The defendants, having been duly served, formally resisted the suit by interposing their written statements, the quintessential grounds of their defense being as follows:-

“The defendants contest the suit's maintainability, asserting it is a vexatious litigation predicated on suppressed facts. While admitting the plaintiff's professional status, they deny all defamatory intent, contending the complaint reflected the truthful grievances of the villagers. They further challenge the validity of the inquiry report, alleging it was procured under undue official influence. Asserting the absence of any actionable cause of action, the defendants seek dismissal of the suit with costs.”

4. Upon the filing of the replication, wherein the plaintiff sought to neutralize the defense's contentions and restate the suit's merits, the



learned trial court framed the following issues to facilitate a trial on merits:-

- 1) *Whether plaintiff is entitled for damages as prayed for? OPP*
- 2) *Whether the suit of the plaintiff is not maintainable in the present form? OPD*
- 3) *Whether the plaintiff has got no cause of action and locus standi to file the present suit? OPD*
- 4) *Relief.*

5. Following the settlement of issues, the parties were afforded an expansive and unfettered opportunity to lead their respective ocular and documentary evidence. Upon a comprehensive and meticulous appraisal of the evidentiary record, the learned Trial Court proceeded to dismiss the suit. The subsequent First Appeal, preferred by the appellant-plaintiff, met with the same fate, as the First Appellate Court affirmed the findings of the court of first instance. It is this concurrent judicial determination that the appellant now impugns before this Court through the present RSA.

6. Seeking the reversal of the findings below, the appellant has invoked the high Appellate jurisdiction of this Court. Deeming it judicially prudent to evaluate the substantive merits of the appeal prior to the issuance of notice to the respondents, this Court subjected the matter to a preliminary scrutiny, affording the learned counsel for the appellant a full hearing on the points of law and fact.

7. This Court has engaged in an extensive and deliberate examination of the submissions advanced by the learned counsel for the appellant, contextualizing them within the framework of the pleadings and the evidentiary corpus. The record has been subjected to a scrupulous audit



to ascertain whether the impugned judgments are vitiated by any jurisdictional error, manifest perversity, or misappreciation of evidence. The primary inquiry remains whether there exists any substantial legal infirmity that warrants the corrective intervention of this Court in its second appellate capacity.

8. In rendering concurrent judgments, both learned Courts below have arrived at the conclusive determination that the appellant-plaintiff failed to satisfy a fundamental prerequisite for a successful defamation claim. It is a settled legal principle that to sustain an action for defamation, the claimant must lead cogent evidence to prove that the impugned imputations actually lowered their reputation in the estimation of right-thinking members of society.

8.1. In the instant case, the evidentiary deficit is manifest. The appellant-plaintiff examined only three witnesses: himself (PW-1), ASI Sohan Singh (PW-2), and Joginder Singh (PW-3). Notably, the sole independent public witness, PW-3, categorically admitted during cross-examination that he was entirely unaware of any complaint preferred by the defendants against the plaintiff. He further testified that he had no knowledge of such allegations through any media, print, or electronic sources. Consequently, the testimony of the only witness representing the '*general public*' failed to establish any communication of the defamatory matter or any resulting diminution of the plaintiff's standing.

8.2. Furthermore, PW-2, ASI Sohan Singh, who produced the departmental inquiry records, conceded in cross-examination that no individual had rendered a statement against the plaintiff during his



investigation. While the departmental inquiry concluded that the allegations were unsubstantiated, this finding of "falsity" does not, *ipso facto*, satisfy the requirement of "publication" leading to social disparagement. Consequently, both Ccourts correctly held that the appellant-plaintiff failed to discharge the burden of proving that his reputation was lowered in the estimation of others. Finding no jurisdictional error or perversity in these findings, the appeal is dismissed for want of merit.

9. In view of the final adjudication of the principal appeal, all pending miscellaneous applications, if any, are rendered infructuous and stand disposed of accordingly.

03.02.2026
Gaurav Sorot

(**VIRINDER AGGARWAL**)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No