



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

103

CRM-M-39744-2023

BIKRAM SINGH MAJITHIA

...Petitioner

Versus

SANJAY SINGH

...Respondent

1.	The date when the judgment is reserved	March 10, 2026
2.	The date when the judgment is pronounced	March 27, 2026
3.	The date when the judgment is uploaded on the website	March 27, 2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. D.S. Sobti, Advocate and
Mr. Sultaan Singh Sangha, Advocate,
Mr. Savpreet Gujral, Advocate and
Mr. Bhavesh Puri, Advocate
for the petitioner.

Mr. Nikhil Sheoran, Advocate
for the respondent.

TRIBHUVAN DAHIYA, J.

The petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') for setting aside the order dated 15.05.2023, Annexure P-11, passed by learned Additional Chief Judicial Magistrate, Ludhiana, in complaint case under Section 190 Cr.P.C., titled *Bikram Singh Majithia v. Sanjay Singh and others*, Annexure P-1, whereby the petitioner's application filed under Section 311 Cr.P.C. to lead additional evidence dated 20.02.2023, Annexure P-9, has been dismissed.

2. The facts of the case in brief are, the aforementioned complaint for commission of offences of criminal defamation and publication under Section 499 read with Section 500/501/502 read with Section 120B of the

Indian Penal Code, 1860, was filed by the petitioner against four persons - the respondent, Ramesh Vinayak, Senior Resident Editor, Hindustan Times (Chandigarh Edition), Sanjay Narayan, Editor-in-Chief, Hindustan Times (Chandigarh Edition) and Surinder Mann, Reporter, Hindustan Times (Chandigarh Edition). The complaint pertains to defamatory statement made by the respondent against the petitioner disparaging his character and alleging his involvement with drug racketeers in a public rally on 05.09.2015, which was published by daily newspaper/the Hindustan Times in its columns on 06.09.2015. The respondent along with the aforesaid three accused, Ramesh Vinayak, Sanjay Narayan and Surinder Mann, were summoned by the trial Court vide order dated 22.01.2016, Annexure P-2; the respondent was released on bail vide order dated 08.02.2016, Annexure P-5. Soon thereafter, on 11.02.2016, he again made defamatory statement against the petitioner, which was published in Jagbani newspaper (Chandigarh Edition).

2.1. After being summoned as accused, Ramesh Vinayak and Surinder Mann, tendered unconditional apologies to the petitioner stating that there were no allegations of his involvement in any kind of drug activity, vide letters dated 19.02.2016 and 27.09.2016, Annexures P-6 and P-7 respectively. Accepting the apologies, the complaint against the two was dropped on 20.02.2016 and 03.10.2016, respectively.

2.2. During trial, the petitioner moved an application under Section 311 Cr.P.C. with the following prayer:

It is, therefore, most respectfully prayed that this Hon'ble Court may be pleased to allow the present application and the following witnesses may kindly be summoned in order to place the additional evidence on record, in the interest of justice:-

- i) Custodian of Jagbani Newspaper Chandigarh Edition dated 11.02.2016;
- ii) Authorized person from PTC News Channel from PTC News Channel office;
- iii) Record Keeper of the communications issued by Sh. Ramesh Vinayak, Senior Resident Editor to prove apology letter dated 19.02.2016;
- iv) Concerned Ahlmad along with judicial file of complaint titled as Bikram Singh Majithia vs. Sanjay Singh, pending in the Court of Sh. Aashish Saldi, Ld. Chief Judicial Magistrate, Amritsar.

The application was heard by the trial Court and dismissed vide impugned order dated 15.05.2023.

3. In this factual background, learned counsel for the petitioner firstly contended that the application has been wrongly rejected by the trial Court as the defamatory statement made by the respondent on 11.02.2016 and its broadcast on the news channel-PTC are relevant to show his conduct. Therefore, it is imperative to place on record the original newspaper and the pen drive containing the footage which he is entitled to do under Section 8 of the Indian Evidence Act, 1872. Secondly, the statements made by the co-accused are also relevant for adjudication of the complaint, as the same are confessional statements admissible under Section 30 of the Act. No other argument has been advanced.

suffered by respondent/accused post his release on bail in the present complaint. Therefore, the evidence sought to be adduced by applicant/complainant would squarely fall within the purview of the situation contemplated in Explanation-I appended with Section 8 of Indian Evidence Act, 1872. Those statements might give a separate cause of action to the applicant/complainant to set the criminal justice machinery into motion, yet the statement if any suffered by respondent/accused after his release on bail is absolutely irrelevant and inadmissible in evidence against respondent/accused.

This Court finds no infirmity in the reasoning recorded by the trial Court. The issues have been duly considered and rejected by correctly appreciating the provisions of law in view of the facts of the case. Accordingly, no interference is called for.

6. Dismissed.

March 27, 2026

Jaspreet Kaur

(TRIBHUVAN DAHIYA)

JUDGE

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Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*