



**REVISITING DEFAMATION:  
EXAMINING THE AMBIT OF  
“PERSON AGGRIEVED” U/S 199 OF  
CR.P.C**

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**ABSTRACT**

The paper reviews the locus standi of a friend or an acquaintance to make a complaint in lieu of damage to his reputation due to the defamation of a person he is closely associated with. The purpose of research on this topic arose when a case was handed to us by our senior while at our internship in New Delhi and we were asked to research on the locus standi of our client under the provision of section 199 of Cr.P.C. The research is for one yet to be instituted case. In this research, the point of discussion, i.e., ambit of ‘person aggrieved’ under section 199 had been challenged and discussed many a times, but the problem faced by a person (a friend) associated with the defamed person had not been addressed. Drawing upon the available case laws and interpretation by learned judges, and application of the golden rule of interpretation of statutes it has been scrutinized and reasoned that the clause is not exhaustive and a complaint can be filed by any person aggrieved of the offence. The resultant conclusion is that the person should be allowed to make a complaint, and whether

harm was caused or not is a matter to be decided by the court.

**I. INTRODUCTION**

The elementary purpose of law is to set right the grievances of its subjects. If a person has suffered some loss or damage, he is free to approach the judicial platform for redressal. The law lays down the rights of all persons through innumerable statutes and legislations. When any of these rights are infringed, a person can present a suit and obtain a decree in his favour by showing cause. The indefinite question is here who is this person who can institute a suit? In case of trespass of property, the owner or possessor of the property can institute a suit. In case of breach of contractual agreements, the parties interested in the subject matter of the contract can institute a suit. In case of violation of rights of a corporation, the persons authorised to act on behalf of the corporation have been permitted to institute suits. The law tries to provide for all the rights of individuals who can be affected by any actions or omissions committed by another person. *Interpretation cessat in claris*, however, it is required on the part of the judges to interpret the true meaning of laws wherever necessary and this includes the specific illumination of the words used in statutes.<sup>1</sup> An example of this situation is the use of the words “person aggrieved” in Section 199 (1) of the Code of Criminal Procedure, 1973.<sup>2</sup>

<sup>1</sup> "(J)udicial interpretation is only necessary when the plain meaning of statutory text does not reveal clear legislative intent or leads to ambiguous results.... The principle is based on the Latin maxim of statutory interpretation, *interpretatio cessat in claris*: there is no need for interpretation when the text is clear." Barrett

Hall and Rebecca, *Wolf in Sheep's Clothing: Dressing-up Substantive Legislation to Trigger the Interpretive Exception to Retroactivity Violates Constitutional Principles*, 67 La. L. Rev. p. 599 (2006).

<sup>2</sup> Act No. 2 of 1974.



The domain of Section 199 as to the definition of a “person aggrieved” has been examined many a times. The provision is laid down as follows:

**“199. Prosecution for defamation.**

– (1) No Court shall take cognizance of an offence punishable under Chapter XXI of the Indian Penal Code (45 of 1860) except upon a complaint made by some person aggrieved by the offence:

*Provided that where such person is under the age of eighteen years, or is an idiot or lunatic, or is from sickness or infirmity unable to make a complaint, or is a woman who, according to the local customs and manners, ought not to be compelled to appear in public, some other person may, with the leave of the Court, make a complaint on his behalf or her behalf.”*

The proviso to Section 199 (1) clearly provides for situations in case of a minor, a lunatic, persons unable to register a complain due to sickness or infirmity, and persons who according to customs ought not to appear in public.<sup>3</sup> Any person on behalf of the before mentioned persons can file a complaint for defamation with the leave of the Court even when he himself has not been aggrieved by the defaming imputation. Therefore, the right of such persons to institute proceedings is upheld.

A point to be noted here is that the proviso clearly does not refer to persons who themselves have been aggrieved by the defamatory sentence. It merely allows a third person to file a complaint on behalf of the person defamed, therefore, allowing that person to seek justice in the name of and for the person defamed.

Further, Explanations I and II to Section 499 of the Indian Penal Code (45 of 1860) lay down exceptions in situations where a suit for defamation may be brought by persons other than the person the imputation was aimed at:

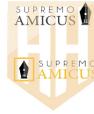
*Explanation 1. – It may amount to defamation to impute anything to a deceased person, if the imputation would harm the reputation of that person if living, and is intended to be hurtful to the feelings of his family or other near relatives.*

*Explanation 2. – It may amount to defamation to make an imputation concerning a company or an association or collection of persons as such.*

It is obvious that a deceased person cannot defend his reputation and thus, the right shifts to his/her legal heirs, family members and other near relatives. Explanation 1 is an exception to *action personalis moritur cum persona*. In a case where Netaji Subhash Chandra Bose had been defamed, his nephew was allowed to file a complaint on behalf of the deceased freedom fighter as allowed by

<sup>3</sup> A Power of Attorney holder is justified in making a complaint on behalf of the person defamed; Thomas M.v. State of Kerala, 2002 SCC Online Ker 351; Arcot

N. Veerasamy v. J. Jayalalitha, Madras, 2002 SCC Online Mad 361.



Explanation 1 to sec 499.<sup>4</sup>With reference to Explanation 2, the Supreme Court has expressed that the same is wide and thus a collection of persons must be an identifiable body so that it is possible to say with precision that a group of particular persons as distinguished from the rest of the community stood defamed.<sup>5</sup> Further, expanding the ambit of “person aggrieved” under Section 199, the Apex Court has held that if a company is described as engaging itself in nefarious activities, its impact would certainly fall on every Director of the company.<sup>6</sup>

Attention should be given to the use of the words “by **some** person aggrieved” instead of the phrase “by the person defamed” in Section 199(1). It indicates that the lawmakers did not propose the statute to be limited to the person whom a defamatory imputation intended to indicate. It means that **any person** who has suffered a grievance because of the offence of defamation can make a complaint.

In a present case at hand, one journalist submitted in a local newspaper of certain imputations regarding the unprofessional conduct of a public servant while in duty. He accused him of taking heavy bribes to complete the favours of the public. The newspaper article was clearly indicating the public servant. As a result, a close friend of this public servant was then looked down

upon for being associated with him and he despite knowing that the imputations are false, suffered mental agony at the hands of the society. His grievance was a result of the defamatory statement published by the newspaper. As per Section 199 (Cr.P.C.) and Section 499 (IPC) the status of this person falling within the definition of “person aggrieved” is to be examined. Whether the complainant can file a complaint and institute a proceeding thereon? Whether the complainant has *locus standi* in this situation or not? The complainant claims his reputation has been injured even though he wasn't the person defamed. Defamation concerns itself solely with reputation, and reputation is the exclusive preserve of defamation,<sup>7</sup> by this observation any person who has suffered any harm to his reputation should be allowed to claim for damages.

Although it is a question of fact that is to be determined whether there has been harm to a person's reputation or not. However, in this case the point of discussion is whether the complainant has a right to challenge his violation of right of reputation under the said provisions. Can a magistrate take cognizance in such cases?

## II. JUDICIAL INTERPRETATION OF ‘PERSON AGGRIEVED’

the company or is duly authorised by the company, in accordance with law, he would not have the right to initiate a complaint on behalf of the company.

<sup>7</sup>Eric Descheemaeker, *Protecting Reputation: Defamation and Negligence*, 29 Oxford Journal of Legal Studies p. 604 (2006).

<sup>4</sup> Pat Sharpe v. Dwijendra Nath Bose, 1963 SCC Online Cal 114.

<sup>5</sup> Foundation for Media Professionals v. Union of India, (2015) 9 SCC 252; Sahib Singh Mehra v. State of Uttar Pradesh, AIR 1965 SC 1451.

<sup>6</sup> John Thomas v. Dr. K. Jagadeesan, AIR 2001 SC 2651; Sabal Kumar Dey v. Ranjan Sarkar, 2013 Cr LJ 470 it was held that unless a person is the director of



Firstly, to discuss the ambit of the phrase “person aggrieved” in general law. As per *Advanced Law Lexicon*<sup>8</sup> an “aggrieved party” is a person whose legal rights have been affected, injured or damaged in a legal sense. The phrase was examined as early as in the year 1870 where it was held that an “aggrieved person” is one who has a more particular or peculiar interest of his own beyond that of the general public, in seeing that the law is properly administered.<sup>9</sup> It is to be noted that in this case E was living in the neighbourhood of the roads which were to be abandoned as a result of the certificates issued by the justices. He would have suffered special inconvenience by the abandonment. Thus, E had shown a particular grievance of his own beyond some inconvenience suffered by the general public. Therefore, in this case the plea of E was taken cognizance of and E was deemed to be an “aggrieved party”.

In another case *King v. Groom ex parte*<sup>10</sup>, the parties were rivals in liquor trade. The complainants (brewers) had persistently objected to the jurisdiction of the justices to grant license to one J. K. White in a particular month. It was held that the complainants had a sufficient interest in the matter to enable them to be considered “person(s) aggrieved”.

*R. v. Manchester Legal Aide Committee*,<sup>11</sup> is another case where it was held that the complainants therein were “persons aggrieved” because they were grieved by the failure of Legal Aid Committee to give them

prior notice and hearing to which they were entitled under Regulation 15(2). Thus, it is a clear situation where one person had suffered a legal wrong. The Apex Court’s dictum in one case is that:

*“The meaning of the words “a person aggrieved” may vary according to the context of the statute. One of the meanings is that a person will be held to be aggrieved by a decision if that decision is materially adverse to him. Normally, one is required to establish that one has been denied or deprived of something to which one is legally entitled in order to make “a person aggrieved”. Again a person is aggrieved if a legal burden is imposed on him. The meaning of the words “a person aggrieved” is sometimes given a restricted meaning in certain statutes which provide remedies for the protection of private legal rights. The restricted meaning requires denial or deprivation of legal rights. A more liberal approach is required in the background of statutes which do not deal with property rights but deal with professional conduct and morality.”*<sup>12</sup>

Some more examples: The appellant, whose seniority is affected due to reinduction of respondent into service on acceptance of his request for withdrawal of voluntary retirement comes within the ambit of “person aggrieved”.<sup>13</sup> A person who feels disappointed with the result of a case is not a person aggrieved. The order must cause him a legal grievance by wrongfully depriving

<sup>8</sup>P. RAMANATHA AIYAR, *ADVANCED LAW LEXICON* 182 (3<sup>rd</sup> ed., 2005).

<sup>9</sup> *Queen v. Justices of Surrey*, (1870) 5 QB 466.

<sup>10</sup> *King v. Groom*, (1901) 2 KB 157.

<sup>11</sup> *R. v. Manchester Legal Aide Committee*, (1952) 2 QBD 413.

<sup>12</sup> *Bar Council of Maharashtra v. M. V. Dabholkar* (1975) 2 SCC 702.

<sup>13</sup> *P. Lal v. Union of India*, AIR 2003 SC 1499.



him of something.<sup>14</sup> A person who has pleaded guilty deliberately cannot be heard to say she is a person aggrieved by the conviction.<sup>15</sup> The word “person aggrieved” do not really mean a man who is disappointed of a benefit which he might have received if some other order had been made. He must be a man who has suffered a legal grievance.<sup>16</sup> In order to earn a *locus standi* as “person aggrieved” other than the aggrieved party before the Collector of Customs as an adjudicating authority it must be shown that such a person aggrieved being third party has a direct legal interest in the goods involved in the adjudication process, it cannot be of general public interest or interest of a business rival.<sup>17</sup>

Drawing from the above contentions, it is clear that the scope of “person aggrieved” is wide and non-exhaustive. Any person who has been affected by an act or omission whether directly or indirectly aimed at him falls within the definition. Any party who has an interest in a subject matter though not the original party to the act has a right to approach the court.

In the present case at hand, the complainant suffered mental agony on the hands of the journalist who published false statements against the public servant. He being a close friend of the officer is often associated with him. The defamation of the public servant has resulted in damage to the reputation of the

complainant even though his name was not mentioned in the article. The complainant knows the public servant since many years and thus believes him to be a true and genuine person. He clearly falls within the ambit “person aggrieved” because of the downfall in his reputation after the publication of the said article. His right was indirectly and unintentionally infringed by the journalist. It can, thus, said to be a case of *aberratio ictus*.

Right to reputation is a legal right generally protected under tort law. However, in India defamation has been criminalised under sections 499 and 500 of IPC whereby a person defaming another is subject to simple imprisonment for a term which may extend to two years, or with fine, or both.

### III. THE QUANDARY OF THE COMPLAINANT

Now referring to the phrase “person aggrieved” under Section 199, the High Court of Orissa has observed that it seems impossible to limit the scope of the expression “some person aggrieved”.<sup>18</sup> If that were the true view, then it is only the person defamed who can make a complaint. The Honourable Court in the case of *T. G. Goswami v. The State*, clearly stated that the standard to be applied in proof that the defamatory matter refers to the complainant is whether or not a reasonable man would understand so from the piece of libel even when no name has been mentioned,<sup>19</sup> but in

<sup>14</sup> *Adi Pherozshah Gandhi v. H. M. Servai*, AIR 1971 SC 385.

<sup>15</sup> *R. v. Deputy Chairman of the Country of London Quarter Sessions Appeal Committee*, (1957) 3 All ER 28.

<sup>16</sup> P. RAMANATHA AIYAR, *ADVANCED LAW LEXICON* 3558 (3<sup>rd</sup> ed., 2005).

<sup>17</sup> *Northern Plastics Ltd. v. Hindustan Photo Films Manufacturing Co. Ltd.*, 1997 (4) SCC 452.

<sup>18</sup> *J. Padmalochan Choudhury v. Nirakar Patel*, 36 (1970) CLT 940.

<sup>19</sup> *T. G. Goswami v. The State*, AIR 1952 Pepsu 165.



the former case the defamation of the wife resulted in the defamation of her husband because of their association with each other in the eyes of the society.<sup>20</sup> The husband was considered a “person aggrieved”. In another case, *Navin Das v. Ranjita Singh* the Supreme Court upheld the maintainability of the suit by the wife and daughter-in-law of the persons defamed as she fell within the ambit of “person aggrieved” because she was so closely associated with the defamed persons.<sup>21</sup>

Furthermore, in the case of *Devki Nandan v. K. Narinder*<sup>22</sup> the High Court of Punjab and Haryana observed that a person who suffers injury or is adversely affected by the act complained of is obviously the person aggrieved, though in some cases this expression may include a person who is not the direct target of attack.

An old judgement of Calcutta High Court observed that it cannot be laid down as an inflexible rule that the expression “some person aggrieved” will only be limited to the person actually defamed or affected. The Section does not say that complaint can only be made by the person defamed. What it requires is that the complaint must be made by “some person aggrieved”.<sup>23</sup>

Following observation was made by the Bombay High Court in a case of defamation of a person’s father: The complaint can be filed by some person aggrieved by the

offence and thus aggrieved person can be other than the one against whom the offence was committed.<sup>24</sup>

In all the above-mentioned cases, the common factor was that the aggrieved party was related to the defamed person by marriage or blood relations. In the case of *John Thomas v. Dr. K. Jagadeesan* the Apex Court was of the view that the collocation of the words “by some persons aggrieved” definitely indicates that the complainant need not necessarily be the defamed person himself. Whether the complainant has reason to feel hurt on account of the publication is a matter to be determined by the court depending upon the facts of each case. In this case the Director of a hospital that was defamed was put within the ambit of “persons aggrieved”. Similarly, if a firm is described in a publication as carrying an offensive trade, every working partner of the firm can reasonably be expected to feel aggrieved by

All the above cases are covered by the Explanations to Section 499. But the particular case at hand refers to the close friendship of the complainant and the person defamed. People are more than often judged on the basis of persons they indulge themselves with. The complainant believes the public servant to be a genuine person who performs his duty truly. The imputations made by the journalist are believed to be false and misleading, and have therefore

<sup>20</sup> J. P. Choudhury v. Nirakar Patel, 36 (1970) CLT 940.

<sup>21</sup> Navin Das v. Ranjita Singh, 2016 SCC Online Ori 39.

<sup>22</sup> Devki Nandan v. K. Narinder, 1962 SCC Online 225.

<sup>23</sup> Mrs. Pat Sharpe v. Dwijendra Nath Bose, 1963 SCC Online Cal 114.

<sup>24</sup> Shri Vijay Vishwanath Kuvalekar v. Shri Suresh Raghunathrao Kalkundrikar, MANU/MH/0543/2000.

<sup>25</sup> John Thomas v. Dr. K. Jagadeesan, AIR 2001 SC 2651.



misrepresented the complainant in front of his family, friends and the society at large because of his close association with the person defamed. Based on the reasoning of the courts above, a “person aggrieved” u/s 199 might not necessarily be the person defamed and involves a person who has faced a grievance due to the offence of defamation.

The Kerala High Court in its judgement however has given an asymmetrical opinion. It has said that where a report states that some leaders of a strike indulged in a disgraceful conduct, all the leaders would not suffer in their reputation. In that situation, a member of such an unidentified and indeterminate class cannot pose as an aggrieved person within Section 199.<sup>26</sup>

An “aggrieved person” is someone who has got *legal grievance*, i.e. a person wrongfully deprived of anything to which he is legally entitled and not merely a person who suffered some sort of disappointment.<sup>27</sup> In this case, the complainant’s reputation to which he is legally entitled has been denied. No person is allowed to be defamed by words or actions as per Section 499 of IPC. Blameworthiness of conduct and protected interest are the two types of props which, when combined will make up the ‘grid’ of tort law.<sup>28</sup> However, it is to be noted that India does not have strict legislations on tort law as of yet. Many common torts such as negligence, defamation, assault, etc. have been criminalised by the Indian Penal Code. Though, a writ petition for decriminalisation

of defamation had been filed in the Supreme Court of India, the constitutionality of criminal defamation was upheld therein.<sup>29</sup> So, the only recourse available to the complainant is to file a complaint for criminal defamation under Section 499 of IPC (read with Section 199 of Cr.P.C.). This fact has been reiterated in the case of *Huzra Bee v. The State of Madhya Pradesh*:

*“Any damage to the reputation confers civil right to claim damages from the wrong doer and also right to prosecute the offender in terms of Section 499 of IPC.”<sup>30</sup>*

#### IV. APPLYING THE GOLDEN RULE OF INTERPRETATION OF STATUTES TO SECTION 199

The conventional way of interpreting a statute is to seek the intention of its makers.<sup>31</sup> The intention of the legislature can be interpreted through the three rules of interpretation – the literal rule, the golden rule and mischief rule. Where the words used in a statute are unambiguous but the intention of the legislature is not clear, the literal rule is applied to interpret the words in the plain, ordinary and grammatical sense that has been laid down by the legislature. Where the words used can be interpreted in more than one way, either the golden rule is applied to interpret the true intention of the legislature or the mischief rule is applied to gather the mischief that was sought to be rectified by the

<sup>26</sup>R. V. KELKAR, LECTURES ON CRIMINAL PROCEDURE 236 (6<sup>th</sup> ed., 2016).

<sup>27</sup>Parvinder Kaur v. Joginder Kaur, 2004 CrLJ 2329.

<sup>28</sup>Supra note 6 at 603.

<sup>29</sup> Subramanian Swamy v. Union of India, (2016) 7 SCC 221.

<sup>30</sup>Huzra Bee v. State of Madhya Pradesh, (Writ Petition No. 9060/2017, High Court of Madhya Pradesh).

<sup>31</sup> Bhatia International v. Bulk Trading SA and Another, (2002) 4 SCC 318.



legislature and the words are interpreted accordingly.

In the present statute under consideration, the golden rule of interpretation is appropriate for interpretation, as there is more than one meaning obtainable from the words “by some person aggrieved”. First, does it only refer to persons actually defamed; second, does it along with the first inference also refer to persons associated to the person defamed. The use of the words “some person aggrieved” obviously does not limit the jurisdiction to only the person defamed. It is clear from the proviso to section 199 and subsequent adjudications by the judiciary that the legislature did not intend to limit the applicability of the section only to persons that were defamed themselves but some person that was “aggrieved” by such an act of defamation.

The golden rule provides for interpretation of the words in cases where one interpretation leads to an absurdity, and another gives effect to the common sense which was originally intended by the law makers. The intention of the legislature by the use of the words is vibrant that any person aggrieved by the act of defamation should be allowed to file a complaint. If only the person actually defamed by the statement was allowed to file a complaint, then the intention of the legislature would have been misguidedly violated. This would limit the jurisdiction of the statute and result in absurdity which, by

the words used by the law makers, was certainly not intended.

## V. DEFAMATION – A LEGAL INJURY

It is not disputed that defamation is a legal injury or not, the very fact that criminal proceedings can be instituted when somebody’s reputation is harmed is proof enough that defamation is a wrong. It is a settled point of law. The theme of discussion here is what constitutes as legal injury within the framework of defamation. The Supreme Court has held in the *Subramanian Swamy* case that the right to reputation is a “fundamental right”. A ‘legal injury’ cannot per se include a person feeling hurt because of the defamatory statement. The rule was clearly laid down in the case of *Hassainbhoy Ismail v. Emperor* where a member of a religious community was not allowed to bring a suit against the accused as his feelings were hurt because of the defamation of the community head.<sup>32</sup> In the present case however, the complainant alleges violation of his legal right and not just a feeling of hurt. A legal injury is an injury that is recognised by law, whether physical, monetary or loss of a legal right.<sup>33</sup> Grievance does not contemplate any fanciful sentimental grievance, it must be such a grievance that the law can appreciate, it must be a legal grievance and not a state *propratione voluntas* reason.<sup>34</sup>

Right to reputation is a right in rem, i.e., it is available against the whole world. The Bombay High Court’s dictum in a case before it was that:

<sup>32</sup>*Hassainbhoy Ismail v. Emperor*, 156 Indian Cases (1935), 567.

<sup>33</sup>P. RAMANATHA AIYAR, *ADVANCED LAW LEXICON* 2681 (3<sup>rd</sup> ed., 2005).

<sup>34</sup>M. L. SINGHAL, J., *CODE OF CRIMINAL PROCEDURE* 389 (21<sup>st</sup> ed., 2014).



*“Every person has a legal right to preserve his reputation inviolate. In law it has been accepted as personal property and it is jus in rem and a right good against all the world. A man’s reputation is property and degree of suffering occasioned by the loss of reputation as compared to that occasioned by loss of property is greater.”<sup>35</sup>*

In the present case, the complainant averts injury to his reputation. By all means and standards his case is that of defamation. His right to reputation to which he is entitled as against the whole world has been violated. However, whether actual injury did occur or not is a matter of facts that is to be decided by a learned judge. The code itself views it as an offence on account of the mental suffering of the person defamed.<sup>36</sup> In the United States, a Court permitted recovery for defamation solely on the basis of mental pain and anguish; no injury to reputation was alleged or proved.<sup>37</sup>

## VI. CONCLUSION

The *locus standi* of a person aggrieved by the offence of defamation has been a topic of discussion since decades. It is settled that family, friends and strangers cannot file a complaint on behalf of the defamed person unless their own reputation has been harmed because of association with the latter.

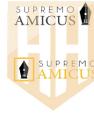
Secondly, deceased persons and companies are allowed to be represented by legally authorized persons. The complaint has to be filed by the person defamed in all other cases. On the other hand, husbands, wives, children and other family members have been put under the umbrella of “aggrieved persons”, the stance of a person who suffered injury or damage and one who is not related by blood or marriage to the person defamed has not been taken into account. The definition of a “person aggrieved” has repeatedly meant to refer to a person who has suffered a legal grievance, and therefore the complainant should be allowed to file a complaint. Right to reputation has been held to be a fundamental right which if violated attracts legal action. All the case laws that have been referred to above have in some way affected the right of reputation of a person. Whether the complainant has actually suffered harm is a matter of fact. Professor Prosser says reputation is harmed when there is diminution to the esteem, respect, goodwill or confidence in which the plaintiff is held.<sup>38</sup> In the opinion of the complainant, his reputation has been affected. A prima facie case is thus perceptible and therefore complaint should be admitted. The aim of this research was to examine whether the complainant has *locusstandi* to challenge the actions of the journalist, the answer to which stands in the positive. The point of a trial is to determine whether actual damage was caused to the plaintiff or not. In the opinion of the author, the complaint should be taken

<sup>35</sup>Umar Amid Khan v. VincyGonsalves, 2009 SCC Online Bom 1676.

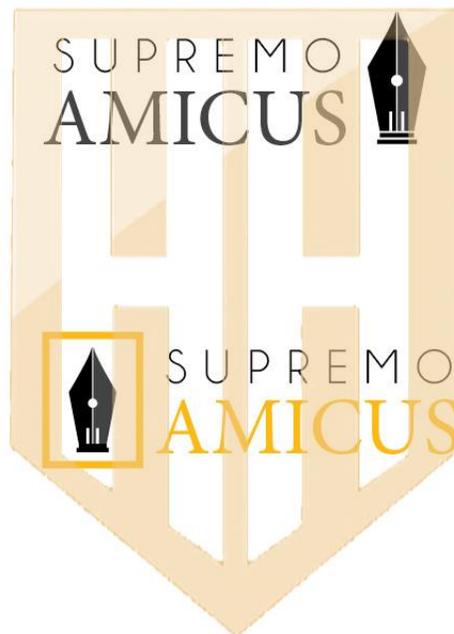
<sup>36</sup>DR. HARI SINGH GOUR, PENAL LAW OF INDIA 4723 (11<sup>th</sup> ed., 2003).

<sup>37</sup> Robert A. Steinberg, *Defamation, Privacy and First Amendment*, 5 Duke Law Journal p. 1017 (1976).

<sup>38</sup>Albert E. Harum, *Remolding of Common Law Defamation*,<sup>49</sup> American Bar Association Journalp. 149 (1963).



cognizance of under Section 199 (Cr.P.C.)<sup>39</sup>  
and a proceeding under Sections 499 and 500  
of IPC<sup>40</sup> should be allowed to be instituted.

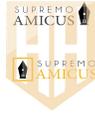


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<sup>39</sup> S. 199 of Code of Criminal Procedure, 1973 (Act No. 2 of 1974).

<sup>40</sup> S. 499 & 500 of Indian Penal Code, 1860 (Act No. 45 of 1860).

**SUPREMO AMICUS**



**VOLUME 3 | JAN | 2018**

**ISSN: 2456-9704**

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