

**ORDER BELOW EXH. 1 IN**  
**Cri. M.A. NO. 94/2022**  
**Shadman Khan Vs. Tamkanat & Ors.**  
**(CNR No. MHBI09000209-2022)**

The complainant has filed the present complaint against the accused for the offences punishable under Sections 500 and 504 read with Section 34 of the Indian Penal Code, 1860.

2. According to the complainant, he is residing in the vicinity of Phule Nagar at Majalgaon and the accused are also residing in the same locality. The complainant contended that he is holding a Maharashtra State Pharmacy licence and is running a medical shop at Bhatwadgaon. It is further contended that he is pursuing further education and that his father is serving as a clerk in Bhukhri School.

3. It is the case of the complainant that the accused used to harass him and his father and had threatened to implicate them in false criminal cases. It is further contended that the accused lodged a false complaint against the complainant and his father, pursuant to which S.C.C. No. 215/2018 came to be registered against them. However, in the said case, the Court acquitted them on 18-01-2020. It is further contended that the accused challenged the said judgment before the Hon'ble Sessions Court, but the appeal came to be dismissed.

4. It is further alleged that accused No.2 had also filed a complaint against the father of the complainant, pursuant to which R.C.C. No. 225/2017 came to be registered and in the said case also the father of the complainant was acquitted on 07-01-2019.

5. According to the complainant, by lodging such false complaints, the accused tried to defame the complainant and his father in society and their reputation was damaged. It is further contended that the complainant is a bachelor and the accused tried to defame his image in society in order to prevent marriage proposals being received by him. Hence, he has filed the present complaint.

6. I have heard learned Advocate Shri Badade for the complainant and perused the complaint and documents placed on record. The complainant has been examined on oath under Section 200 of the Code of Criminal Procedure, 1973, wherein he has reiterated the contents of the complaint.

7. On perusal of the record, it appears that the grievance of the complainant mainly arises from the fact that the accused had earlier lodged criminal complaints against him and his father, which ultimately resulted in their acquittal. However, mere acquittal in a criminal case by itself does not constitute defamation. Filing a complaint before the police or competent court is an act of approaching a lawful authority, and unless it is shown that the allegations were made maliciously and without good faith with the intention to harm reputation, the same would not amount to defamation.

8. In the present case, except the fact that the earlier cases ended in acquittal, no prima facie material is placed on record to show that the accused made any specific imputation intending to harm the reputation of the complainant in the estimation of others.

9. Therefore, the averments in the complaint and the statement of the complainant recorded on oath do not disclose sufficient ground to

proceed against the accused for the alleged offences. Hence, I am satisfied that there is no sufficient ground for proceeding against the accused.

**ORDER**

The complaint stands dismissed under Section 203 of the Code of Criminal Procedure, 1973.

Majalgaon  
Date : 12.03.2026

(Rahul B. Pol)  
Judicial Magistrate, F.C., Majalgaon