

Chanchal Manohar Singh

Vs

High Court of Punjab & Haryana and Others

Criminal Appeal No. 611 of 1996

(CJI A. M. Ahmadi, Sujata V. Manohar JJ)

30.09.1996

ORDER

1. Having heard the learned counsel for the appellant and the respondent and having noticed the conduct of the appellant immediately after the mistake in the reporting was noticed, we think that this is a case in which a harsh view was not called for. Immediately after he realised that there had been a mistake he on his own tendered an apology by printing the same on the front page of the newspaper even before any notice was issued by the Court. Even before the Court he appeared and tendered an unqualified apology. The same was however not accepted on the ground that he had acted irresponsibly and the High Court felt the need to disgrace him. It further felt that allowing him to go unpunished would be bad for society.
2. We may point out that after the notice was issued by this Court on 9-5-1996, he once again filed an affidavit stating that it was a mistake on his part and as soon as he realised it, he, on his own, printed an apology on the front page of his newspaper. He states that once again he tenders his unconditional and unqualified apology for the mistake committed by him in giving expression to his views in print. He requests that the apology may be accepted.
3. We are of the opinion that from the very beginning the attitude of the appellant was to admit his mistake and to apologise for having committed it. He never tried to justify the mistake. We are, therefore, of the opinion that the learned Judges in the High Court took too strict a view. We do not see how society will benefit by disgracing him. We do realise that journalists ought to be more cautious in reporting their views in the newspapers. They should realise that such unilateral reporting without proper verification may harm and injure the reputation of others. It is necessary for them to realise that the feeling the appellant may be undergoing at present on being hauled up for contempt would perhaps be the feeling of those who are hurt and injured by such irresponsible reporting. It is, therefore, necessary that extra care should be taken and concern for the feelings of others should be shown in reporting matters in the print media. Very often we come across cases where instead of printing news, views are expressed by journalists who have not done sufficient research, lack experience and maturity and that lands them into difficulties. Overenthusiasm in reporting with flashy headlines is one of the reasons which has landed quite a number of journalists into this type of difficulty. We do hope that they would try to understand the feelings of others whom they are likely to hurt by their reporting, if the reporting is factually inaccurate or can be branded as irresponsible. The appellant, we are sure, must have learnt his lesson the hard way. We accept his apology hoping that he will be more cautious in future and that this experience will be a constant reminder to exercise extra caution.
4. With these words, we allow this appeal, set aside the order of conviction and sentence awarded by

the High Court, accept his apology and direct that the amount of Rs 2000 which he has paid by way of fine would be diverted to the Legal Services Committee in the Supreme Court.