

A any writing, picture  
or other sign tending,



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A libel is a publication of a false and defamatory statement in some permanent form tending to injure the reputation of another person without lawful justification or excuse. Any publication which exposes an individual to hatred, contempt or ridicule, being published without lawful excuse is a libel. A libel is any writing, picture or other sign tending, without lawful excuse, to injure the character of an individual, by subjecting him to ridicule, contempt or disgrace. It is a censorious or ridiculing writing, picture or sign, made with a mischievous and malicious intent towards Government, Magistrates, individuals.

The gist of the offences of libel is the publication of something which tends in contemplation of law to affect injuriously the peace and good order of society because it injuriously affects the reputation, memory, or business of individuals. The wrong of defamation is of two kinds — namely, libel and slander. In libel the defamatory statement is made in some permanent and visible form such as writing, printing, pictures or effigies.

Art. 75 governs a suit for damages for libel. Libel is a criminal offence punishable under Section 500 of the Indian Penal Code and it is also a civil wrong actionable without proof of special damage. In *Bakshi Ghulam Mohammed v. G.*

*M. Sadiq*, (AIR 1968 J&K 98), it has been held that when a suit for damages is filed for making defamatory statement against ministers and police officers, it is libel within the meaning of Art. 75 and is governed by this Article. When the false and malicious statement against the plaintiff has not been published, no libel is committed. In *Harnam v. Doda*, (AIR 1937 Lah.

709), it has been held that a suit for damages for making false allegation against the plaintiff before police when no prosecution was instituted cannot be treated as a suit<sup>1</sup> for malicious prosecution but would be treated as a suit for damages for libel governed by Art. 75. Under Art. 75, limitation runs from the date of when the libel is published. In Kapoor Chand v. Hakim Jagdish Chand, (AIR 1972 Punj. 215), it has been held that mere mention in the suit that the defendant made damaging remark against the plaintiff on a previous occasion more than one year prior to the filing of the suit would not render the suit liable to be barred by limitation when the suit for damages for libel has been filed within one year of the publication for the libel for which the present suit has been filed.