



ADV RISHI SHARMA

MP HIGH COURT

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To be sent via Registered A.D./Speed Post

Date:- 26.07.2025

Ref :- DT/026/1293 /2025

LEGAL NOTICE
“Without Prejudice”

(Under Sections 356 and 357 of Bharatiya Nyaya Sanhita, 2023, read with Law of Torts, for Defamation and Malicious Prosecution)

To,

Mr. Arvind Doshi

Proprietor/Director, Lohitang Developers,

Address :- 102 Classic Crown, 5/2 Old Palasia, Indore (MP)

Subject: Legal Notice for making and publishing false, frivolous and defamatory allegations, lodging malicious complaint causing irreparable damage to reputation and mental agony, and demand for compensation of **₹50,00,00,000/- (Rupees Fifty Crores Only)**

Sir,

Under instructions and on behalf of my client, **Mr. Dheeraj Thakur S/o Shri Bahadur Singh Thakur, Resident of 18, Tigariya Badshah, Indore**, a copy of the Power of Attorney executed by the Clients of ours and the aforesaid issuer of Notice in favour of us is annexed with the instant notice and is marked as **Document-D/1**, I hereby serve upon you this legal notice as follows:

1. STATEMENT OF FACTS :-

1. It is pertinent to mention that in the year 2023, you and your firm, Lohitang Developers, entered into a development agreement with several farmers of Village Bajrang Paliya, Tehsil Sanwer, District Indore concerning approx. 6 hectares of ancestral agricultural land. As per the terms, you were obligated to obtain all requisite statutory permissions and complete developmental work within a period of 18 months.
2. That despite the expiry of the agreed period, you have failed to:
 - Obtain layout sanction / development permission from competent authorities;
 - Commence or complete any development activity;
 - Honour other essential conditions of the agreement.

Consequently, the concerned farmers are deprived of agricultural use of the land, gravely affecting their livelihood.

3. It is stated that after the unfortunate demise of one of the landowners, late Jeevan Singh, approximately four months ago, you and your associates — namely **Mr. Asif Khan, Mr. Azim Khan, Mr. Nikky, Mr. Shakir and Mr. Kratesh Rathore** — started extending threats to his surviving family, coercing them to forcibly execute registry in your favour, under threat of dire consequences.
4. It is pertinent to mention that my client, being a public-spirited individual and respected social worker, stood by the affected farmers and raised legitimate objections to these acts.

2. FALSE, MALICIOUS AND DEFAMATORY COMPLAINT:-

5. It is future stated that in retaliation, you deliberately lodged a false, frivolous and malicious complaint dated 21/07/2025 before the South Tukoganj police station, alleging that my client threatened you on 21 July 2025 in your office premises.
6. My client has already produced **CCTV evidence** showing that at the relevant date and time he was present at his own office, attending a meeting, thereby conclusively disproving your allegations.

7. Your complaint is demonstrably false, vexatious, and intended to maliciously prosecute and defame my client, thereby attracting the provisions of:
- **Section 356, Bharatiya Nyaya Sanhita, 2023 (BNS)** – Defamation: making or publishing false imputations with intent to harm reputation;
 - **Section 357, BNS** – Punishment for defamation;
 - Law of Torts – Civil liability for damages on account of loss of reputation, mental agony and malicious prosecution.
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3. INJURY CAUSED TO REPUTATION AND MENTAL AGONY :-

8. My client is widely respected in society, enjoys impeccable social and political standing, and has never been involved in any criminal matter.
9. Your false, baseless and malicious allegations have:
- Gravely harmed his personal and public reputation;
 - Caused irreparable mental agony, humiliation and distress;
 - Led to unwarranted suspicion in the public domain;
 - Obstructed his social and professional life.
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4. LEGAL FOUNDATION AND JUDICIAL PRECEDENTS

Your above actions squarely amount to criminal and civil defamation and malicious prosecution, as recognised and clarified in the following authoritative pronouncements:

- **West Bengal State Electricity Board v. Dilip Kumar Ray, (2007) 14 SCC 568** – false criminal proceedings without reasonable cause constitute malicious prosecution;
 - **Rajender Singh Pathania v. State of NCT of Delhi, (2011) 13 SCC 329** – false implication damages reputation and attracts liability;
 - **Subramanian Swamy v. Union of India, (2016) 7 SCC 221** – the right to reputation is protected under Article 21 of the Constitution.
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5. FORMAL DEMAND :-

Accordingly, through this notice, I hereby formally call upon you to comply with the following within 15 (fifteen) days from the date of receipt of this notice:

1. Tender an unconditional written apology to my client, to be published in two widely circulated newspapers (one English and one Hindi);
2. Withdraw forthwith the false, malicious and defamatory complaint made before the police and communicate such withdrawal in writing to the concerned authorities;
3. Pay to my client ₹50,00,00,000/- (Rupees Fifty Crores Only) towards damages for defamation, malicious prosecution, mental trauma, loss of reputation and related loss.

6. CONSEQUENCES OF NON-COMPLIANCE :-

Take further notice that in the event of your failure to comply within the stipulated time, my client shall be constrained to:

- Initiate appropriate **civil proceedings** for recovery of damages and compensation for defamation and malicious prosecution;
- Institute **criminal proceedings** under Sections 356 and 357 of Bharatiya Nyaya Sanhita, 2023 and other applicable provisions;
- Pursue all other legal remedies available under law, entirely at your risk, cost and consequences.

This notice is issued without prejudice to my client's rights and remedies in law.

Kindly treat this as final and binding.

Regards,
Adv Rishi Sharma
Dated :- 26.07.2025