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April 5th, 2024

Email :- ssukhu.hp@gmail.com

To

Sh. Sukhvinder Singh Sukhu son of Sh. Rashil Singh,
 Chief Minister, Govt of Himachal Pradesh,
 CM Residence, Oak Over, Shimla – 2
 Himachal Pradesh.

Sub:- Legal notice for intentionally causing Defamation of our client - Sh. Sudhir Sharma, through your vilifying tirade and repetitive mud-slinging speeches comprising highly insinuated and extremely derogatory and defamatory assertions, duly published and circulated.

Dear Sir,

Under the instructions and for and on behalf of our client, Sh. Sudhir Sharma, son of late Pandit Sant Ram, Resident of VPO Rakkar Tehsil Dharamshala District Kangra HP, until recently, the sitting MLA, Himachal Pradesh Vidhan Sabha, Shimla, who has been four time elected member of Assembly (HP) and has been a Minister of Urban Development, in the Cabinet of State of Himachal Pradesh during the period from 2012 to 2017, we hereby serve upon you the present legal notice for defamation of our client, repeatedly by you. By way of present notice we are hereby forewarning you that appropriate civil and criminal proceedings for Defamation shall be initiated against you as per law as the following circumstances have been brought to our notice, which clearly show and establish the insinuating and venomous slanderous defamation perpetrated by you maliciously, with malafide intentions and out of clear spite and vengeance on one hand and to gain cheap publicity on the other hand and to denigrate and defame our client aforesaid without any just cause or excuse. The succinct circumstances, which though known to you, are being listed below: -

1. That our client is a respectable citizen of this nation. He is enjoying a very good reputation, command, and great respect amongst the family, friends, colleagues, and locality as well as the community. Our client is having great respect, dignity, and prestige in the area and also having a blemish free and blot-less career throughout his life.
2. That during the election for the Rajya Sabha seat from State of HP, our client had voted as per his conscience, while exercising his democratic right and had openly voted in favour of the candidate who hailed from and belongs to the State of Himachal Pradesh, even though he had been the candidate of Bhartiya Janata party. The RS candidate of Bhartiya Janata Party got votes

not only from my client but also from other members of the Congress Party as well on the same analogy of being a native of state of Himachal Pradesh. Though our client and others have exercised their democratic right but you have taken the said defeat as a prestige issue and started to blame my client and other MLA's on one or the other pretext, by levelling serious allegations as to our client's integrity and character.

3. That during your various public speeches which you have been making and even posting from 12.3.2024 onwards on FB page, print-media and elsewhere, you have specifically been mentioning and painting our client's character as he having been sold and purchased by the BJP and he having been won over through unfair practices and that our client stayed in the hotels. Not only this, our client was also christened as a sinner apart from making other allegations which are extremely damaging and defamatory in nature. Not only this, in an election rally cum Public Speech in Una, whose video recording is available with us, you have stated on 04-04-2024 referring to our client, that dissident MLA's have been sold for a sum of Rs. 15 Crores each and you possess proof thereof with you. You have further stated referring to our client, that those who sell their souls, need to be taught a lesson and that our clients have sold their Morals. The said speech of yours has been widely reported in Dainik Bhaskar and elsewhere, to the following effect,

“हिमाचल प्रदेश के मुख्यमंत्री सुखविंदर सुक्खू ने कहा है कि कांग्रेस के बागी विधायक 15-15 करोड़ रुपए में बिके हैं। उनके पास इसके प्रूफ भी हैं। उन्ना जिले में गुरुवार को जनसभा संबोधित करते हुए मुख्यमंत्री ने कहा कि जो लोग आपकी भावना बेचकर जाते हैं, आपकी विधायकी नीलाम करते हैं, ऐसे लोगों को सबक सिखाने का वक़्त आ गया है। मुख्यमंत्री ने कहा, 'बागी विधायकों ने अपना ईमान बेचा है।”

4. That the above mentioned statements and speeches of yours, which are known to you to be false and derogatory and defamatory, which are known to you to be false, and which have no basis or substance, have been carried out in news items and the videos of your statements have been widely circulated, published and posted just to tarnish the fair reputation of our client and to defame my client and with a view to lower down his reputation, especially when our client goes to hustings once again and is facing the electorate. There is neither any iota of truth in your speeches, nor you possess any proof with you, of your alleged false statements, made in full public view.
5. That not only have your videos, public speeches and statements been circulated widely and posted everywhere amongst the electorate of State of Himachal Pradesh with malafide motive, but also the same have been circulated and published in the neighbouring States like Punjab, Haryana and Chandigarh as well, where a number of voters from the state of HP keep commuting and or they have influence over the voters of Himachal Pradesh and the constituency of our client. Your statements have been circulated and widely publicised and published in the newspapers in Chandigarh as well, and as such, the reputation of our client has been tarnished far and wide, by your intentional and false besides misleading statements, due to which the image and reputation of our client has been attempted to be lowered, more particularly as our client is a political person and the career of our client is based upon image, which stands sullied and tarnished due to your extremely

false statements, which have been published widely by way of news items and videos etc.

6. That you Sh. Sukhvinder Singh Sukhu, have purposely, intentionally and with clear explicit and malicious intent made extremely derogatory and defamatory assertions against our client in presence of thousands of members of public physically and even further lakhs other joining through the mode of Facebook, through your public speeches delivered and in full public view delivered on or around and during March 15th to April 4th, 2024, and through the continuous live streaming of the video recordings from your FB page, which is being live streamed even till date. Not only this, you have reiterated your defamatory assertions during your birthday celebrations on 27-03-2024, which has been published widely in various newspapers including The Tribune Chandigarh, Dated 28-03-2024 and also the Punjab Kesari dated 28-03-2024, wherein you have used extremely derogatory language through false allegations like the BJP indulged into Horse trading in purchasing MLAs like our client. The said derogatory speech and the video containing extremely false, derogatory, defamatory and extremely disparaging remarks about our client has been played on Facebook is now viral throughout the social media across the globe thereby spreading white lies about the otherwise unsullied and pure reputation of our client amongst lakhs of persons including Voters in Himachal Pradesh and general public causing utter mental trauma, pain and harassment of our client.
7. That it is pertinent to mention that my client has until recently been a sitting MLA from Dharamshala constituency until recently and he undertook his responsibilities as a representative of his constituents with utmost vigour and fervour and with due commitment and honesty. During his tenure, our client has invested his time and full energy towards the betterment of society and did not involve himself in senseless brawls and words-wrestling and you Noticee have in your public speech acted in a crooked, malicious and shrewd manner by spreading white lies about the character and conduct of our client, you intentionally and with a view to paint our client's character black in the eyes of public at large, made utterly derogatory, inhumane and dilapidating remarks without there being an iota of truth behind it only to mock and degrade the good, pure and unsullied name and reputation of our client and with a view to intentionally defame, deride, mock at our client and consequently attempt to sway voters in your party' favour by employing unscrupulous slur about our client.
8. That during your aforesaid public speeches you noticee, in full public view and in the presence of thousands of persons while hearing you and also through print and social media and also in videos and audios of your speeches, you have commented in an utterly ridiculous and preposterous manner made totally false assertions about the integrity of our client, which were known to you to be false and such malicious insinuations have totally defamed the character and reputation of our client, which statements however are not being reproduced again.
9. That you noticee further remarked in the aforesaid defamatory statement and published by way of newspaper reports and videos using utterly false words and expressions, which were uttered only to kill and scuttle the political and social career of our client, whereby you used totally false, imaginary and

utterly derogatory expressions like – our client has indulged in horse-trading and has been purchased by the BJP and so on, and you noticee further employed such twisted and utterly atrocious facts, which were farther from and bereft of any iota of truth and these had been initiated without any just cause or excuse with a clear idea to denigrate and besmirch the fair name and reputation of our client by making the above frivolous comments about a respectable person like him. That even further, such comments were made during the full light of the day in front of thousands of members of public present and lakhs others watching and re-watching through online mode or reading the same in print media and newspapers. While you noticee delivered such a false and ill motivated speech containing utterly derogatory and defamatory words and expressions as above towards our client, and also openly and brazenly spread misinformation and the said false insinuations, rendered and uttered in a brazenly shameful manner about my client and thus you noticee through your stinging defamatory sentences and expletive words clearly aimed in lowering the dignity of our client uttered by you causing the utter defamation of our client.

10. As such the sole intention of you, was to defame and denigrate my client and lower his name and fair reputation in the eyes of general public by use of extremely foul and uncouth language used therein, which directly sounded a political death knell for our client, who otherwise enjoyed, a fair a good name, an impeccable reputation, whereas through your aforesaid false assertions, not only the fair name and reputation of my client was butchered, but also my client's family and loved ones and above all his sense of dignity and conscience were dealt an extremely deadly blow under the belly. As such you, in levelling such extremely false and derogatory assertions on him, have lowered his self-prestige, self-esteem, besides causing extreme defamation of him through your absolutely, false and ill-motivated assertions, which are known to you to be false.
11. That however, it is more than apparent that out of sheer clear vengeance and ill-will and due to malafide intention to wreak a personal vendetta against my client aforesaid, you, under a sinister plan, and with a view to sway some voters and earn power began an onslaught of flaying malicious, false, ill-motivated and extremely defamatory assertions against my client, thereby attempting to tarnish my client's image in public at large and by making a false, fabricated, concocted, and an utterly defamatory speech and spreading and publishing wholly derogatory and defamatory material against our client and thereby causing utmost damage and irreparable loss to the image and reputation of our clients through a Libellous speech of alleged incidents. Your speech's video containing the said content has widely been circulated by several persons throughout the states of Himachal Pradesh, Haryana Punjab and at Chandigarh, when certain supporters of my client, who learnt about from FB live streaming and video being circulated on social media showed this to my client and he learnt about this, and he felt utterly shocked at the audacity and falsity contained therein. Our client's friends and supporters at Chandigarh were also outraged and became extremely disappointed with the contents of such false news-items and videos containing your aforesaid false statements. That due to the aforesaid allegations against my client that too without any basis and purely engineered on malice, my client suffered extreme mental agonies, torture, loss of reputation and image and utmost social denigration. Furthermore, my client is facing continuous mental torture, harassment.

12. Since your utterly false, misconceived and gut-wrenching assertions constitute utter falsehood being spread at your behest about the fair name, image, prestige and reputation of my client, as such, by way of present notice, you both noticees are forthwith called upon to immediately furnish an unconditional and sincere apology through the medium of social media, published in at least three national and three vernacular newspapers each in bold and strikingly conspicuous print within 3 working days from the date of receipt of this notice. Further, you noticee are hereby called upon and informed that the untold damage and impairment to the reputation of my client, caused by you, cannot be repaired by any amount of compensation.
13. However, by way of present notice, you are hereby called upon to forthwith compensate my client with a sum of Rs. 05 Crores, as minimal amount of compensation and towards the reparations and damages suffered by our client thereby through your utterly false and ill motivated assertions about image of our client. Further you are hereby required to reimburse, defray and pay a sum of Rs. 55,000/- towards the cost of instant legal proceedings to my client in addition thereto. If urgent and immediate remedial actions as above, are not taken by you within a stipulated period, in that event, my client has already instructed us to initiate appropriate civil and criminal proceedings against you the noticees in the competent court of law, for all the falsehood and malicious propaganda, as above and otherwise, launched by you noticees thereby systematically damaging the fair reputation of my client, and in the process inflicting untold suffering, mental harassment and trauma heaped by the ill motivated insinuations of you noticee against the image of my client.
14. My client knows for sure though, that no amount of money can bring his reputation back which stands shattered due to your malicious campaign, complaints, statements and applications at every possible avenue. Still, before taking appropriate action, a chance is hereby given to you noticees as above for remedying and assuaging the hurt and shattering effect of your false insinuations on our client, failing which appropriate civil and criminal action including appropriate and necessary legal action in this regard under *Sections 499 of Indian Penal Code, 1860* thereof in relation to a defamatory material being spread and circulated with malafide motive, shall be initiated against you, without any further delay or notice, whatsoever.

A copy of this legal notice is being retained in this office for further use in case of need.

Thanking you,
Acting faithfully,
For AVSAI Legal

[Amar Vivek Aggarwal]
Advocate

*No signatures needed being digitally signed