

**West Bengal Form No.3957
High Court Criminal Form No.(P)37**

CHARGE WITH THREE HEAD

**[No. XXVII (II), Schedule V, ACT V, 1808]
{Sections 221, 222, 223, Code of Criminal Procedure}**

**I, Shri Ananta Kumar Singha Mahapatra (JO Code No. WB00902)
Judge, 2nd Special Court, Calcutta**

hereby charge you :-

A-4. Santu Halder, as follows

Firstly :- That you were one of the Director of the A-1 Company namely, M/s. Decal India Screen Printing Private Limited, and that the balance sheet and profit and loss statement for the financial year ending 31.03.2016 as submitted by the A-1 company do not contain the Director's Identification No. (DIN),

and you have thereby committed an offence punishable **under Section 158 read with Section 172 of the Companies Act, 2013** and within the **cognizance of this court.**

Secondly :- That in your capacity as Director of the A-1 company you have misappropriated the fund of the company by adopting technique of false invoicing, incurring expenditure of personal nature from the funds of the A-1 company, shown bogus transaction in the books of account of the company and thus have not protected the interest of the company, took undue advantage/ gain from the company, have not fulfilled your duty as director of the company,

and you have thereby committed an offence punishable **under Section 166 of the Companies Act, 2013** and within the **cognizance of this court.**

Thirdly :- That in your capacity as Director of the A-1 company you have committed fraud by misappropriating the fund of the company by adopting technique of false invoicing, incurring expenditure of personal nature from the funds of the A-1 company, showing bogus transaction in the books of account of the company,

and you have thereby committed an offence punishable **under Section 447 of the Companies Act, 2013** and within the **cognizance of this court.**

And I, hereby direct that you be tried by this Court on the said charges.

The above mentioned charge is read over and explained to the accused in Bengali, to which he pleaded not guilty by saying "ami nirdoshi" and claimed to be tried.

Dated the 16th day of June, 2025

**Judge, 2nd Special Court,
Calcutta
J.O. Code-WB00902**

In the Court of the Judge, 2nd Special Court, Calcutta
Complaint Case No.9/2021 (Computer Registration No.4/2021)
CNR No. WBCS01-000126-2021
Present :- Ananta Kumar Singha Mahapatra (J.O Code-WB00902).

Order No.28
16.06.2025

A-4 Santu Halder is present by filing hazira.

The learned company prosecutor is present.

The learned advocate for the accused is also present.

Today is fixed for consideration of charge.

Heard both sides. Perused the materials on record. Considered.

Prima facie it appears that A-4 has committed the offence punishable under Section 158 read with Section 172, Section 166 and Section 447 of the Companies Act, 2013.

The learned company prosecutor opens the case by describing the charges against the accused person and he proposes to examine the witnesses as named in the complaint.

The Charge is accordingly framed in separate prescribed sheets against A-4 under Section 158 read with Section 172, Section 166 and Section 447 of the Companies Act, 2013, and the contents thereof is read over and explained A-4, to which he pleaded not guilty by saying “ami nirdoshi” and claimed to be tried.

Heard both sides in order to ascertain if they wish to carry out admission of any document under Section 294 of the Cr.P.C. The accused person refused to carry out any such admission.

To **11.07.2025** for examination of the complainant witness no.1 (i.e., the inquiry officer).

Issue summons accordingly.

Dictated and corrected by me

**Judge, 2nd Special Court,
Calcutta
J.O. Code-WB00902**

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Calcutta
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