

In the Court of the Judge, 2nd Special Court, Calcutta
Criminal Case No.05/2024
CNR No. WBCS01-000271-2024
Present :- Ananta Kumar Singha Mahapatra (J.O Code-WB00902)

Order No.01
27.03.2024

This is a Complaint along with annexures filed by the **Registrar Of Companies**, West Bengal, herein after referred to as the ROC, in short, through its authorised representative Ibson Shah I, Deputy Registrar of Companies, West Bengal against A-1 M/s. Mcleod Russel India Limited, A-2 Aditya Khaitan, A-3 Pradip Bhar, A-4 Kamal Kishore Baheti, A-5 Amitabha Guha Sarkar, A-6 Rajeev Takru and A-7 Azam Monem under Section 200 of the Code of Criminal Procedure, 1973, herein after referred to as the CrPC, in short.

Heard the learned company prosecutor.

Perused the Compliant and the Inspection Report. Also perused the sanction order for prosecution against the accused persons. Considered.

Let the Complaint be registered in the relevant register and the Court Information Software.

As the complainant is a public servant acting or purporting to act in the discharge of his official duties, the examination of the complainant and his witnesses under Section 200 of the CrPC is dispensed with.

On perusal of the Complaint and the Inspection Report, it appears that A-1 is the company under inspection and A-2 to A-7 are the directors/ ex-directors/ officers in default of the said company during the relevant period. It is the allegation against A-1 that it has granted loan in excess of the stipulated limits under Section 186 of the Companies Act, 2013.

It appears that there is a prima facie case against A-1 to A-7 under Sections 186(2) read with 186(13) of the Companies Act, 2013.

Accordingly, **cognizance is taken.**

Issue summons upon A-1 to A-7.

To **15.05.2024** for service return of summons against A-1 to A-7 and appearance of the accused persons.

Dictated and corrected by me

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

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