

In the Court of the Judge, 2nd Special Court, Calcutta
Criminal Case No.06/2024
CNR No. WBCS01-000440-2024
Present :- Ananta Kumar Singha Mahapatra (J.O Code-WB00902)

Order No.01
22.05.2024

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 Vadithya Shasikanth Naik, Assistant Registrar of Companies, West Bengal against A-1 Sajjan Kumar Kheria, A-2 Roshni Agarwal, A-3 Amit Kumar Sahal, A-4 Radha Devi Dongra, A-5 Nanda Chopra and A-6 Sarika Agarwal 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 Complaint and the annexed documents including the Inquiry 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 comp OF COMPANIES ACT 2013 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 to A-6 were the directors of the company namely, Favourite Steel Traders Private Limited during the relevant period. It is the allegation against the said company that it has made investments in equity shares of other companies during the financial year 2011- 2012 to 2017- 2018. That the company has never disclosed in its financial statements filed with the Ministry of Corporate Affairs, the names of the body corporate in whom investments have been made and the nature and extent of the investment so made in such body corporate.

It is the further allegation against the said company that it has not disclosed the name of its shareholders nor given any details of transfer of shares in its annual returns filed on the portal of Ministry of Corporate Affairs for the financial year 2009- 2010 to 2013- 2014 and 2016- 2017 to 2019- 2020.

In the Court of the Judge, 2nd Special Court, Calcutta

Criminal Case No.06/2024

CNR No. WBCS01-000440-2024

Present :- Ananta Kumar Singha Mahapatra (J.O Code-WB00902)

Order No.01

22.05.2024

It appears that there is a prima facie case against A-1 to A-6 for proceeding under Section 628 of the Companies Act, 1956 read with Section 448 of the Companies Act, 2013.

Accordingly, **cognizance is taken.**

Issue summons upon A-1 to A-6.

To **24.07.2024** for service return of summons against A-1 to A-6 and appearance of the accused persons.

Dictated and corrected by me

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

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