Serial Nos.01-03
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.Petn.No.81/2025 with
Crl.Petn.No.82/2025
Crl.Petn.No.83/2025 Date of Order: 09.03.2026

Smti. Nirmali Kaur .... Petitioner

Vs.

The Registrar of Companies, Assam, Meghalaya, Tripura, Manipur, Nagaland, Mizoram and Arunachal Pradesh, Ministry of Corporate Affairs, Government of India having its Office at Morello Building, Ground Floor, Kachary Road, Shillong-793001, Meghalaya. ..... Respondent

Coram:
Hon'ble Mrs. Justice Revati Mohite Dere, Chief Justice

Appearance:

For the Petitioner : Mr. S. Thapa, Adv with
Mr. B. Snaitang, Adv

For the Respondent : Mr. R. Debnath, Adv

i) Whether approved for reporting in Law journals etc.: No

ii) Whether approved for publication in press: No

JUDGMENT: (Oral)

Heard learned counsel for the respective parties in all the aforesaid three petitions.

2. Rule. Rule is made returnable forthwith with the consent of the parties and the aforesaid petition is taken up for final disposal.

3. By the aforesaid petitions, the petitioner therein (same petitioner in all the petitions) seeks quashing of the proceeding as well as bailable warrants issued against her by the learned Chief Judicial Magistrate First Class, East Khasi Hills, Shillong in ***CR Case No.1090 of 2016***, ***CR Case No.1092 of 2016*** and ***CR Case No.1093 of 2016***.

4. The grievance of the petitioner in the aforesaid petitions is that though she is not connected with M/s Suntechno Mutual Benefit India Limited and its Directors in any way, her name is shown in the complaint filed by the Registrar of Companies (ROC), Assam, Meghalaya, Tripura, Manipur, Nagaland, Mizoram and Arunachal Pradesh, Ministry of Corporate Affairs, as C/o of M/s Suntechno Mutual Benefit India Limited. He states that three complaints have been filed by the ROC are against the company-M/s Suntechno Mutual Benefit India Limited and its Directors, as they failed to file their annual returns and balance

sheet in terms of Sub-section 4 of Section 92 of the Companies Act, 2013. He submits that bailable warrant has been issued to the petitioner, in each of the three cases, only because, in the ROC record, the name of the petitioner is shown as C/o in the address of M/s Suntechno Mutual Benefit India Limited.

5. Mr. Thapa, learned counsel for the petitioner submits that the petitioner, a landlord, had given her premises to M/s Suntechno Mutual Benefit India Limited to conduct its business. Learned counsel relied on the agreement of lease entered into between the petitioner and M/s Suntechno Mutual Benefit India Limited. He, thus, submits that the petitioner's name is shown as C/o in the complaint, only because she happens to be landlady of the premises which was given by her to M/s Suntechno Mutual Benefit India Limited.

6. Mr. Debnath, learned counsel appearing for the respondent-ROC fairly concedes that the petitioner is not connected with M/s Suntechno Mutual Benefit India Limited nor is she a Director of the said company. He also does not dispute the fact, that the name of the petitioner is shown in the

complaint, only because the premises on which the company is operating from, belongs to the petitioner and since her name alongwith the address has been recorded by the ROC in its record, at the time of registration of the company.

7. It appears that the respondent-ROC has filed three complaints as against M/s Suntechno Mutual Benefit India Limited and its Directors, under Section 92(5) of the Compaines Act, for non-filing of annual returns and balance sheet for different years. It appears from the record that the premises from which M/s Suntechno Mutual Benefit India Limited was operating belonged to the petitioner and there is an agreement of lease entered into between the parties i.e., M/s Suntechno Mutual Benefit India Limited and Nirmali Kaur (petitioner) for the same. It appears that because M/s Suntechno Mutual Benefit India Limited has given the name and address of the petitioner that the petitioner has been impleaded in the complaints filed by the ROC. Even the learned counsel appearing for the respondent-ROC does not dispute the fact, that the petitioner is not in any way concerned with M/s Suntechno Mutual Benefit India Limited.

8. Considering the aforesaid, the proceeding, if any, only against the petitioner whose name is reflected in the complaint only by virtue of being the owner of the premises as C/o, from which M/s Suntechno Mutual Benefit India Limited is/was operating is quashed. The respondent-ROC is also directed to delete the name of 'Nirmali Kaur' i.e., the petitioner, from the record of the ROC considering the fact, that she is not concerned with the said company.

9. Rule is made absolute on the aforesaid terms.

10. The petitions are allowed and disposed of on the aforesaid terms.

11. In view of the aforesaid order, interim relief granted by this Court i.e., stay to all the three proceedings pending before the learned Chief Judicial Magistrate First Class, East Khasi Hills, Shillong stands vacated.

(Revati Mohite Dere)
Chief Justice

Meghalaya
09.03.2026
"Lam DR-PS"

Signature Not Verified
Digitally signed by LAMPHRANG KHARCHANDY
Date: 2026.03.10 17:20:22 IST