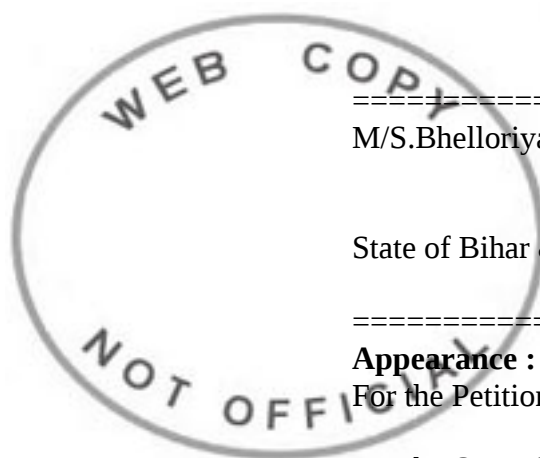




IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6255 of 2010

Arising Out of PS.Case No. -0 Year- null Thana -null District- PATNA

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M/S.Bhelloriya Welfare Organisation & Ors

.... Petitioner/s

Versus

State of Bihar & Ors

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

Mr. Sanjay Kumar Pandey

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 14-09-2015

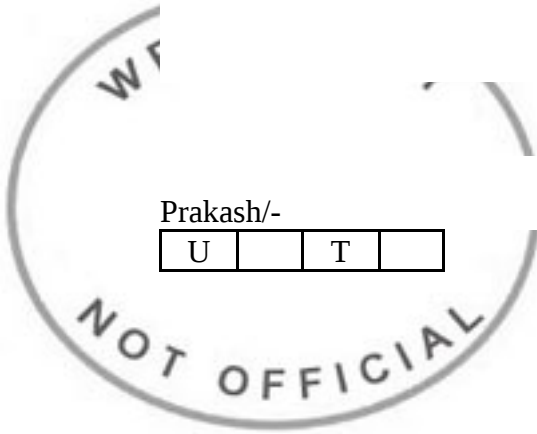
The petitioners seek quashing of the order of cognizance dated 21.12.2009 passed by the Special Judge Economic Offence, Patna in Complaint Case No. 440 C of 2009.

The case of the complainant is that the company failed to submit annual returns which is binding by law.

It has been submitted on behalf of the petitioners that they orally submitted the annual return and income expenditure for the year 2005-06 duly audited. Where after the financial condition of the company became bad and due to mismanagement the annual report could not be submitted. Hence they should be exonerated from the prosecution.

Having considered the peculiarities of this case, the application is allowed and the order of cognizance dated 21.12.2009

passed by the Special Judge Economic Offence, Patna in Complaint
Case No. 440 C of 2009 is hereby set aside.



(Anjana Prakash, J)