

CRR 3321 of 2006

In the matter of : Pawan Kumar Joshi

Mr. Tapan Dutta Gupta
Mr. Parvej Anam
..... for the petitioner
Mr. Bidyut Kumar Roy
Ms. Sima Biswas
..... for the State

This criminal revision challenges the proceeding being C Case No. 814 of 2000 under Section 220(3) of the Companies Act as well as the order dated 15th July, 2006 passed by learned Chief Judicial Magistrate, South 24 Parganas.

The matter is pending since last 17 years. Administrative notice was issued on the last occasion i.e. on 14th March, 2023.

Mr. Tapan Dutta Gupta, learned counsel is appearing for the petitioner.

From the attending facts of the case it is admitted that the petitioner Pawan Kumar Joshi was served with notice by the Assistant Registrar of Companies for non-compliance of the provisions laid down under Section 166 read with Section 210 of the Companies Act and as the Company failed to submit annual return. It appears that the company was in liquidation at the relevant point of time therefore by no stretch of imagination this petitioner could be made culpable for non-submission of annual return by the Company.

Under such circumstances, the proceeding being C-814 of 2000 stands quashed.

Let a copy of the order be sent down to the learned Trial Court for information and necessary action.

(Siddhartha Roy Chowdhury, J.)