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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.L.P. 78/2019

REGISTRAR OF COMPANIES

..... Petitioner

Through: Mr. Rakesh Kumar, CGSC
with Mr. Sunil, Adv.

versus

SCHOLAR PUBLISHING HOUSE PVT LTD & ORS

Respondents

Through: Mr. Sanjeev Kataria, Adv.
through V.C.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

11.01.2024

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CRL.L.P. 78/2019

1. The leave to file the Criminal Appeal is granted.
2. The petition stands disposed of.

Criminal Appeal /2024 (to be numbered)

3. The learned counsel for the appellant submits that a short issue is involved in the present case – whether non-filing of the balance sheet for each year constitute a continuing offence under Section 159 and 220(1) of the Companies Act.
4. He submits that the respondent had failed to file the balance sheet, profit and loss account and annual return for the financial year ending 31.03.2008 and continued not filing the same up to the period ending 31.03.2013.
5. He submits that the complaint was filed in March, 2015 and could not have been rejected on the ground of delay since the respondents were found to have violated the provisions of the said Act till as late as till 31.03.2013.
6. The learned counsel for the respondents, who appears through video conferencing, requests for a short accommodation



on the ground that the learned counsel, who has to address arguments, is unavailable.

7. At request, list the Criminal Appeal /2024 (to be numbered) on 28.02.2024.

8. The parties are at liberty to file a short note of submissions along with the judgments relied upon, before the next date of hearing.

AMIT MAHAJAN, J

JANUARY 11, 2024

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