

24.02.2026  
SL No. 7  
Ct No. 22  
SB

CRR 874 of 2021

Falguni Majumdar  
Vs.  
The State of West Bengal & Anr.

**The Court:**

1. This is an application under Section 401 read with Section 482 of the Code of Criminal Procedure, preferred by one Falguni Majumdar, seeking the quashing of proceedings in Complaint Case No. 32 of 2019, presently pending before the Learned Second Special Judge, Kolkata.
2. Despite the matter being repeatedly called for hearing, there is no representation on behalf of any of the parties. No prayer for accommodation or adjournment has been moved before this Court. A perusal of the record reveals that the parties were lastly represented as far back as January 13, 2025. Subsequently, the matter appeared in the list on October 31, 2025, and again on January 28, February 5, and February 20, 2026. On each of these occasions, the parties remained unrepresented.
3. In the interest of justice, this Court has afforded multiple opportunities to the parties to take necessary requisite steps; however, the petitioner has conspicuously failed to prosecute the matter. Under

such circumstances, I find no reason to keep this matter pending on the file. Accordingly, the matter is taken up for consideration on the basis of the materials available on record.

4. The underlying prosecution was initiated by the Registrar of Companies (ROC), West Bengal, against M/s. MdueNeri Private Limited and eight of its directors, including the present petitioner. The allegation pertains to a violation of the provisions under Section 74(1)(b) of the Companies Act, 2013, which is made punishable under Section 74(3) of the said Act. The gravamen of the complaint is the failure of the company and its directors to repay deposits within the statutory period prescribed under the law.
5. It appears from the impugned order that the Learned Second Special Judge, Kolkata, upon perusal of the complaint filed by the statutory authority, has already taken cognizance and fixed a date for the appearance of the accused persons.
6. The petitioner seeks to quash the proceeding, presumably on the ground that no liability should be fastened upon her. However, the scope of Section 482 Cr.P.C. or the revisional power under Section 401 Cr.P.C. is not to conduct a premature trial.
7. Upon a close scanning of the materials on record, I do not find any patent irregularity or impropriety in the

findings of the Learned Special Judge. The allegations disclosed in the complaint filed by the ROC prima facie constitute the ingredients of the offense alleged. The statutory mandate under Section 74 of the Companies Act is rigorous, and the question of whether the petitioner was a "director in default" is a matter of evidence to be ventilated during the trial.

8. This Court finds no jurisdictional error or perversity in the order taking cognizance which may invite the intervention of this Court at this stage. The inherent power of the High Court cannot be invoked to stifle a legitimate prosecution initiated by a statutory authority.
9. Accordingly, the criminal revision is dismissed.
10. Any interim order granted earlier in connection with this case stands vacated with immediate effect.
11. Let a copy of this order be transmitted to the Learned Second Special Judge, Kolkata, for information and to ensure that the proceedings in Complaint Case No. 32 of 2019 are concluded with utmost expedition.

(Uday Kumar, J.)