

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 1402 of 2021

1. Sumit Bajla
2. Amith Bajla Petitioners

Versus

1. The State of Jharkhand.
2. Pratham Nath Mahto Opposite Parties

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners : Mr. R.S. Mazumdar, Sr. Advocate
For the State : Mr. Manoj Kumar, G.A.-III.

04/ 08.09.2021 This petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic.

Mr. R.S. Mazumdar, learned senior counsel appearing for the petitioners submits that the petitioners are the Managing Director and Director of *M/s. Taurian Iron and Steel Company Private Limited*. He submits that with respect to the amount in question, the O.P. No. 2 filed Money Suit No. 14 of 2016 before the learned Civil Judge, Senior Division-I, Ramgarh, later on the same was withdrawn by the order dated 18.06.2019. Learned senior counsel further submits that thereafter O.P. No. 2 approached the National Company Law Tribunal at Mumbai and latter on the petition filed before the Tribunal was also withdrawn by the O.P. No. 2 and the company has been directed to wind up by the Hon'ble Bombay High Court and the Official Liquidator was appointed and direction was issued to take steps forthwith for liquidating the company's assets after 31.7.2018. He further submits that after these developments and after seven years, the present FIR has been lodged by the O.P. No. 2 for the same cause of action.

Let notice be issued to O.P. No. 2, under registered cover with A/D as well as by ordinary process, for which, requisites etc. must be filed within two weeks.

In the meantime, no coercive steps shall be taken against the petitioners, in connection with Dhurwa (T) P.S. Case No. 109 of 2021, pending in the Court of learned Chief Judicial Magistrate, Ranchi.

In the meantime, learned counsel for the State is directed to file counter affidavit in this case.

Post this matter on 22.12.2021.

(Sanjay Kumar Dwivedi, J.)