

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH  
AT JAMMU**

**CRM(M) No. 750/2025  
CrIM No. 1410/2025**

Sanjay Gupta

.....Appellant(s)/Petitioner(s)

Through: Mr. Jasbir Singh Jasrotia, Advocate.

**Vs**

U.T of J&K & Anr.

..... Respondent(s)

Through:

**CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE**

**ORDER  
(08.08.2025)**

Petitioner, through the medium of this petition, filed under Section 528 BNSS, seeks quashment of FIR No. 0083/2025 dated 25.06.2025, registered with Police Station, Nowabad, for offences under Section 7 read with 14 of Foreigners Act, 1946 on false and flimsy grounds and prays that the case is nothing but is an abuse of process of law.

Learned counsel for the petitioner submits that the case has been registered under the Foreigners Act, 1946, which has been repealed by the Immigration and Foreigners Act, 2025, and the same has been enforced w.e.f., 04.04.2025, whereas, the impugned FIR was registered on 25.06.2025.

Learned counsel for the petitioner further submits that even otherwise, petitioner, who is the owner of the Hotel cannot be held guilty for the commission of offences punishable under Section 7 read with Section 14 of Foreigners Act, 1946 because the petitioner has no role in the submission of Form-C under the IVFRT (Immigration, Visa and Foreigners Registration & Tracking) system, as he cannot be said to be Hotel-Keeper.

Heard.

Issue notice to the respondents in the main petition as well as interim application, returnable within a period of four weeks, subject to the filing of requisites within one week.

List on **17.09.2025**.

Meanwhile, subject to objections and till next date of hearing before the Bench, investigation in the case FIR No. 0083/2025 dated 25.06.2025, shall remain stayed.

Modification/variation/ alteration on motion.

**(M A CHOWDHARY)**  
**JUDGE**

**Jammu**  
08.08.2025  
Renu

