



Kamalpreet Singh ... Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Jasraj Singh, Advocate
for the petitioner.

Ms. Swati Batra, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
31	22.10.2024	NRI, District Hoshiarpur	24(1)(b) and Section 25 of Emigration Act, 1983

Seeking quashing of FIR captioned above, the petitioner had come up before this Court under Section 528, Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

2. The petitioner who claims to be a registered travel agent under the concerned rules and regulations claims victimization at the hands of the complainant who is a police officer. The complainant’s grievance is that no offence has been committed. Counsel for the petitioner submits that allegations are of posting advertisements for jobs on social media which according to Emigration Act, 1983 is not permissible. Moreover, there is no evidence qua the factum of advertisement nor there is any independent complaint.

3. However, State counsel on instructions from ASI-Prabhjeet Singh submits that the investigation is at initial stage and at such an initial stage criminal proceedings cannot be disrupted. She further submits that all these are subject matters of the investigation and they have to collect the social media record and as such, if this Court interrupts the criminal prosecution at this stage, it shall cause grave injustice and would also interfere with the investigation being conducted by the police-Investigator.

4. Given above, in the entirety of facts and circumstances, the present petition is disposed of with the following directions:

- (i) Given the allegations of victimization at the hands of complainant who is a police official, the concerned Senior Superintendent of Police to look into the allegations if there is any substance and he finds allegations truthful, he may

2024:PHHC:156064



CRM-M-56211-2024

look into the wealth/ property of the investigator/ complainant of this case
and if there is any undisclosed assets, he may proceed in accordance with law.

(ii) Investigator shall make efforts to conclude the investigation expeditiously.

Further, needless to say that the petitioner shall have statutory right to file an
application in accordance with law with the higher authority of Police. Pending
applications, if any, also stand disposed of.

(ANOOP CHITKARA)
JUDGE

26.11.2024

Sonia Puri
Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No.