

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) No. 626 of 2025**

Suman Roy, Son of Sri Sankar Roy, Resident of Village-Subashnagar, P.O
& P.S- Kanchanpur, District- North Tripura. (Age -36 years)

..... Petitioner

Versus

1) State Bank of India (To be represented by its Branch Manager), SBI,
Kanchanpur Branch, Kanchanpur, Trijunction, Hospital Road, P.O & P.S-
Kanchanpur, District- North Tripura, PIN-799270, Branch Code-016925.

2) The Branch Manager, SBI, Kanchanpur Branch, Kanchanpur,
Trijunction, Hospital Road, P.O & P.S- Kanchanpur, District- North Tripura,
PIN-799270, Branch Code-016925.

3) Sri Mitan Dey, Branch Manager, SBI, Kanchanpur Branch, Kanchanpur
Trijunction, Hospital Road, P.O & P.S- Kanchanpur, District- North Tripura,
PIN-799270, Branch Code-016925.

4) The Inspector of Cyber Crime, Cyber Crimes Police Station, Cyberabad
Police Commissionerate, Hitech City Main Road, Madhapur, Hyderabad,
Telangana, 500081.

5) The Assistant General Manager, State Bank of India, Surveillance &
Investigation, LHO Hyderabad, PIN-500095.

6) The Regional Manager, SBI, Regional Business Office Near Jagannath
Temple, J.B Road Extension, Agartala, West Tripura, PIN-799001.

For the Petitioner(s) : Mr. P. Roy Barman, Sr. Advocate.
Mr. Samarjit Bhattacharjee, Advocate.
Mr. K. Nath, Advocate.
Ms. S. Debbarman, Advocate.
Mr. D. Paul, Advocate.

For the Respondent(s) : Mr. S. K Deb, Sr. Advocate.
Mr. A. L Saha, Advocate.
Mr. Kohinoor N. Bhattacharyya, Advocate.
Mr. P. P Datta, Advocate.
Mrs. P. Chakraborty, Advocate.
Mr. S. Saha, Advocate.

Date of hearing : 08.01.2026.

Date of delivery of Judgment & Order : 08/ 01 /2026.

Whether fit for reporting : YES.

BEFORE
HON'BLE JUSTICE DR. T. AMARNATH GOUD
JUDGMENT & ORDER

[1] Heard Mr. P. Roy Barman, learned Senior counsel assisted by Mr. Samarjit Bhattacharjee, learned counsel appearing for the petitioner. Also heard Mr. A. L Saha, learned counsel appearing for respondents Nos. 1, 2, 3 & 5,6 . Mr. Kohinoor N. Bhattacharyya, learned counsel also present before this Court on behalf of respondent No.4.

[2] This present Writ Petition has been filed under Article 226 of the Constitution of India, seeking the following reliefs :-

“(i) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the Respondents Nos. 1 to 3 to remove forthwith the 'hold on lien mark' against the Petitioner's SBI A/C No. 36366774370 & in consequence thereto facilitate the Petitioner to withdrawal/release/debit/credit transactions in the said Account.

(ii) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/directions of like

nature shall not be issued whereby directing the Respondent Nos. 1 to 3 to compensate the Petitioner by paying Rs.1,00,000/- as a public law remedy because of the infringement of the Petitioner's constitutional rights by the Respondents.

(iii) Issue Rule upon the Respondents to show cause as to why a Writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby quashing and cancelling the impugned email correspondence, dated, 05.12.2025 issued by the Respondent No.4 & letter, dated, 06.12.2025, issued by the Respondent No.2.

(iv) Make the rules absolute.

(v) Call for records."

[3] The brief facts of the case is that, the petitioner is the distributor of Reliance Retail Limited for activation and recharge of SIM Cards in State of Tripura. That, during continuation of his business, it is contended that on 06.11.2023, an FIR was lodged at Cyber Crime Police Station, Cyberabad, Hyderabad, Telangana, vide FIR No. 2392/2023. Since then, the Petitioner was unable to cause any transaction from his Bank Account. Therefore, the petitioner went to SBI Bank, Kanchanpur Branch, Tripura to inquire as to why he was unable to withdraw/debit money from his Bank account. But no appropriate solution was provided by the concerned respondents. During the repeated visit, no reason was disclosed by the concerned respondents regarding the freezing of his bank account. Later on, petitioner came to know, one cyber crime complaint has been lodged against his bank account at Cyberabad, Telangana. It has been further informed to the petitioner, that, for investigation of the aforesaid case the Bank account of the Petitioner has been hold and marked as "Lien Mark" vide NCRP Ack. No. 33711230043074, by the Respondent No-2. Being dissatisfied with the response of the concerned bank, the petitioner has sought for necessary direction upon the respondents Nos. 1 to 3 to remove forthwith the hold on Lien mark against the petitioner's SBI A/C No. 36366774370 & in consequence thereto facilitate the petitioner to

withdraw /release/ debit/ credit transactions in the said account. Hence, this writ petition is being filed by the petitioner herein.

[4] Learned counsel Mr. Samarjit Bhattacharjee, appearing for the petitioner submits before this Court that the account of his client was frozen by the respondent Nos. 1 to 3 based on an FIR lodged at Cyber Crime Police Station, Cyberabad, Hyderabad, Telangana, vide FIR No. 2392/2023. During repeated visit, concerned bank officials refused to provide him the positive reply regarding freezing of bank account. Petitioner visited the respondents many times but his efforts were in vain. However, to his blessings by an email dated 18th June 2024 the Inspector Cybercrimes made a request to remove “*lien mark*” from the bank account of the petitioner but, the same has not been done by the respondent bank in Tripura. The respondent fastened the liability to respondent No.5 and informed the petitioner to meet respondent No.5 as the defreezing has to be done by respondent No.5 and respondent No.2 has no authorization to do so. The petitioner pursued the matter with all respondents but was of no avail. Hence the writ petition.

[5] He also contends before this Court that during pendency of the writ petition, the respondent No.4, vide impugned email dated, 05.12.2025, directed the petitioner to appear before the respondent No.4, within 7 days from the date of receipt of the notice and to explain the reason for the credit of the disputed amount of Rs. 8,00,000/- into his bank account. This 05.12.2025 mail was to get over 18.06.2024 mail and to frustrate the writ petition. He, therefore, prays before this Court to exonerate him from all the allegations brought against him and thereby, allow this petition.

[6] Mr. Kohinoor N. Bhattacharyya, learned counsel appearing for the respondent No. 4, Investigating Officer, filed counter affidavit and

submits before this Court that a cybercrime complaint lodged at Cyberabad, Hyderabad, Telangana, resulting in his bank account being placed under lien and marked as “Lien Mark” vide NCRP Ack. No. 33711230043074 for investigation purposes. He also stated that the petitioner met the then Investigating Officer, Inspector of Police, Cyber Crimes, who, after verification of the petitioner's credentials, GST bills, bank account details, and other business-related documents, addressed an email dated 18.06.2024 to SBI, Kanchanpur Branch, requesting removal of the lien on Account No. 36366774370, which held an amount of Rs. 8,00,000/-. However, the bank authorities did not remove the lien on the said account.

[7] Heard both sides and perused the records.

[8] Upon perusal of the record, it is seen that nowhere in the counter affidavit filed by the respondent No.4, it is indicated that the bank account of the petitioner, SBI Account No. 36366774370, Kanchanpur Branch, North Tripura is involved in any suspicious financial scam. The information about some financial issues stated in counter affidavit does not pertain to the bank account of the petitioner. There is no specific contention against the petitioner. Accordingly, this Court is of the opinion that the impugned correspondence email dated 05.12.2025 which is passed by the investigating officer asking the petitioner to appear before the concerned respondent(s) with relevant documents once again and subsequent letter dated 06.12.2025 issued by the Branch Manager, SBI, Kanchanpur Branch are obviously to frustrate this writ petition and to get over the email dated 18.06.2024 of the Investigating Officer. This action of the respondent is uncalled for. It is arbitrary and high handed.

[9] In the counter affidavit of respondent- bank they have shifted the responsibility upon the Investigating Officer by referring to an SoP of Government. But, unfortunately nothing can be made applicable to the present facts and circumstances of this case. The laws are made for citizen but citizen is not made for law. It is a high handed action of the respondent-bank to satisfy its ego and deprive an account holder withholding the amounts of the petitioner from June 2024 till date. It is high time the banks should reconsider their responsibility and concern towards its account holders and render genuine services.

[10] In view of the above, this Court further feels that there is no reason to put the petitioner in further hardships. During several adjournments in this writ petition and now it is also reported by the learned counsel appearing for both the parties that the bank account of the petitioner is un-freezed and also cost of Rs. 50,000/- imposed has been duly paid to the petitioner for making the petitioner to suffer althrough by the respondent bank.

[11] Since, the bank has not applied its mind to the said matter with a pragmatic view, thus, the petitioner was put to mental agony and physical stress to move around Investigating Officer at Hyderabad and Bank at Tripura. Despite, there was a communication from investigating officer to lift the lien, the bank did not do so on technical glitches. The bank which is supposed to render services to the citizen and act as a custodian for an account holder funds, is not expected to behave in a manner withholding the funds of the citizen.

[12] Accordingly, the impugned proceedings dated 5.12.2025 and 06.12.2025 of the respondents are set aside and the writ petition is allowed and thus, the same is disposed of.

[13] As a sequel, miscellaneous application(s), pending if any, shall stand closed.

DR. T. AMARNATH GOUD, J

Paritosh

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