

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

WP(C) 1130/2026 CM(2955/2026)

**Maleha Roonak Nazir (23 Years)
D/O Nazir Ahmad Bhat
R/O Mangloora, Tangmarg**

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

Through: Mr. Irshad Rasheed, Adv

Vs.

- 1. Managing Director & Chief Executive Officer, Jammu & Kashmir Bank Ltd
Registered Office & Corporate Headquarters, M.A Road Srinagar, 190001, Jammu & Kashmir**
- 2. Principal Officer Anti Money Laundering Department Corporate Headquarters
M.A Road Srinagar, 190001**
- 3. Principal Officer Transaction Monitoring Cell, Corporate Headquarters M.A Road Srinagar, 190001**
- 4. Branch Head Jammu & Kashmir Bank Ltd
Branch Unit Dobiwan Kunzer
Baramulla 193404**
- 5. Union Of India- Ministry of Home Affairs
through Secretary North Block New Delhi
110001**

...Respondent(s)

Through: Ms. Sabiya, Adv vice
Mr. Syed Avees Geelani, Adv for R- 1 to 4
Ms. Falak Pandit, AC vice
Mr. T.M Shamsi, DSGI for R-5

CORAM:

HON'BLE MR. JUSTICE M. A. CHOWDHARY, JUDGE.

ORDER

18.05.2026

1. The petitioner, through the medium of this petition, seeks quashment of communication dated 15.10.2024, issued by respondent No. 5, along with a direction to the respondents to unfreeze her account, bearing No. 1033010100000284, maintained at J&K Bank Ltd Dhobiwan, Tangmarg, Baramulla.
2. The petitioner submits that she is a young entrepreneur and founder of an emerging Information Technology enterprise under the name and style of *Maleha Web Tech* (Under Incorporation), engaged in providing web development, digital services and online technology solutions to clients both within and outside the Union Territory of Jammu & Kashmir,

holding an account, bearing No. 1033010100000284 with IFSC Code JAKA0DHOBWN, maintained at J&K Bank Ltd Dhobiwan, Tangmarg, Baramulla; that on 26.08.2024, she was informed that her business account had been debit-frozen by the respondent bank pursuant to a communication received from the Cyber Police authorities regarding an alleged online cyber fraud complaint. It is stated that neither any prior notice was served upon the petitioner nor were the details of the alleged transaction communicated to her. It has further been pleaded that the said bank account was being used by the petitioner for earning her livelihood, and the freezing of the account has prevented her from withdrawing funds, thereby causing severe financial hardship and pushing her towards destitution.

3. Learned counsel for the petitioner submitted that the petitioner's bank account was debit-frozen by the respondents on the basis of online cyber complaints bearing Nos. 460551178000, 423936404655, 460846184291 dated 26.08.2024, 460895112267 dated 29.08.2024, and 428992562915 dated 15.10.2024. The allegations in the complaints were that an amount of ₹8,800/- had been debited from the accounts of the complainants who had lodged the online complaints and subsequently transferred to four different accounts before finally being credited to the petitioner's account. Consequently, the respondent bank froze the petitioner's account and deducted the alleged fraudulent amount of ₹8,800/-, thereby paralyzing the petitioner's entrepreneurial activities by blocking customer transactions.
4. Learned counsel for the petitioner further submitted that the petitioner made multiple attempts to contact the concerned Cyber Police authorities to ascertain the reasons for freezing the account; however, no response was received; that the petitioner neither had any knowledge of nor any complicity in the commission of the alleged cyber fraud and since 02.02.2025, there has been no communication from the respondents regarding the investigation, despite repeated emails sent by the petitioner to the respondent bank.
5. Learned counsel for the petitioner argued that in similar cases of scams/frauds, the High Court of Delhi as well as this Court, in many writ petitions, had passed directions to de-freeze the bank accounts of account holders into whose accounts some suspicious/disputed credits had been

made pursuant to financial scams/frauds, so that the account holder does not suffer. He also submitted that Section 106 of the BNSS provides that any seizure/lien must be reported forthwith to the Magistrate, and failure to do so renders the freeze/lien illegal.

6. Learned counsel appearing for the respondent bank submitted that, in view of the cyber scams involving financial disputes, the bank, upon the request of the Investigating Agency of the Cyber Crime Branch had to debit-freeze the account as requested, so that assistance could be rendered to the Investigating Agency in the matter. He further stated that Coordinate Benches of this Court had, in similar circumstances, ordered the bank to maintain a lien over the disputed entry amount only and, subject to such lien, allowed the account holders to operate their accounts.
7. In view of the facts and circumstances of the case, the submissions urged at the Bar, and the consensus arrived at between learned counsel for the parties, the petition is disposed of at the motion stage with a direction to the respondent-Bank to de-freeze Account No. 1033010100000284 of the petitioner maintained at J&K Bank Ltd Dhobiwan, Tangmarg, Baramulla, except to the extent of suspicious or lien-marked transactions. It is made clear that the concerned Investigating Agency shall be at liberty to have the said suspicious/lien-marked transactions investigated and to keep the account under surveillance, in accordance with law.
8. The petition is accordingly **disposed** of along with connected application(s).

(M. A. CHOWDHARY)
JUDGE

SRINAGAR:

18.05.2026

“Adil Ismail”