

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

WP(C) 1197/2026 CM(3131/2026)

**Rashid Manzoor (Aged 26 years)
S/O Manzaor Ahmad Peerzada
R/O Dudwan Kupwara
A/P Hazratbal Srinagar**

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

Through: -

Mr. Irshad Rasheed, Advocate
Ms. Qurat, Advocate
Ms. Shigufta, Advocate.

V/s

- 1. Managing Director & Chief Executive Officer
Jammu & Kashmir Bank Ltd.
Corporate Headquarters :
M.A Road Srinagar 190001
Jammu & Kashmir.**
- 2. Principal Officer,
Anti Money Laundering Department.
Corporate Headquarters
M.A Road Srinagar-190001
Jammu & Kashmir.**
- 3. Principal Officer,
Transaction Monitoring Cell
Corporate Headquarters:
M.A Road Srinagar-190001
Jammu & Kashmir.**
- 4. Branch Head Jammu & Kashmir Bank Ltd,
Branch Unit University Campus,
Hazratbal Srinagar-190006.**
- 5. Union Of India Ministry of Home Affairs
North Block New Delhi- 110001.**

... Respondent(s)

Through:-

Ms. Sabiya Hilal, Advocate vice
Mr. Syed Ovees Geelani, Advocate for R-1 to 4
Ms. Yasmeen, Advocate vice
Mr. T.M. Shamsi, DSGI for R-5

CORAM:

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

(ORDER)

22.05.2026

- Petitioner, through the medium of this petition, seeks quashment of communication dated 04.08.2025 issued by respondent No. 5 along with a direction to the respondent Bank to unfreeze the

petitioner's account bearing Account No. 007010100004028, maintained at J&K Bank Ltd. Branch Unit University Campus Hazratbal Srinagar.

2. Learned counsel for the petitioner submits that the petitioner is a young delivery boy working with Ecom Express, a logistic and courier company operating across the Union Territory of J&K and maintains his salary and business transaction account with J&K Bank Ltd. Branch Unit University Campus, Hazratbal, Srinagar, bearing Account No. 007010100004028, wherein his monthly wages and delivery related payments are credited; that on 23rd of November, 2024, the petitioner's said account was debit frozen by the respondent bank on the instructions of the Cyber Police, Kashmir, citing an alleged online complaint of fraudulent transaction and pursuant to the said communication, the respondent bank debit froze the account of the petitioner. It is stated that neither any prior notice was served upon the petitioner nor were the details of the alleged transaction communicated to him. Consequently, the petitioner was deprived of access to his hard-earned money, bringing his modest livelihood to a standstill.

3. Learned counsel for the petitioner further submits 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 or nor any complicity in the commission of the alleged fraud and there has been no communication from the

respondents regarding the investigation, despite repeated emails sent by the petitioner to the bank.

4. Learned counsel for the petitioner further 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.

5. Learned counsel appearing for the respondent bank next 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.

6. As per communication dated 4th of August, 2025 made by In-charge Citizen Cyber Fraud Reporting and Management System, under a cyber fraud layering an amount of Rs. 5000/- from Arvind Kumar Sajwal S/ O Ram Kumar Sajwal R/O Pratapganj Uttar Pradesh was credited to the account of the petitioner and as per the

Bank statement some suspected amounts had been credited to the account of the petitioner. The petitioner has maintained a stand that the crediting of the amount under sub-fraud cyber crime in a fraudulent design was not within the hands of the petitioner and that the bank can retrieve back the amount, where from the same has been received and can be released in favour of the rightful claimant. Learned counsel for the petitioner submits that the petitioner does not lay any claim over the disputed or suspected amounts credited into his account not being from genuine sources.

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. 007010100004028 of the petitioner maintained at J&K Bank Ltd. Branch Unit University Campus Hazratbal Sringar 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
May 22nd, 2026
"Shoaib Javid"