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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6029/2016 and CM APPL. 35593/2016

DEEPAK KUMAR MITTAL Petitioner
Through Mr.Rama Shanker,
Ms.Kamlesh & Mr.Saurabh, Advocates

versus

UNION OF INDIA & ORS. Respondents
Through Mr.Anil Dabas, Advocate for R-1/UOI
Mr.L.R.Goyal, Advocate for R-4/Axis Bank

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER
28.11.2016

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1. The present petition has been filed by the petitioner praying inter alia for issuance of directions to the respondent No.4/Axis Bank, Tri Nagar Branch, New Delhi to de-freeze the current account bearing No.914020035642059 in the name of M/s Bhagayashri Corporation, the proprietorship firm of the petitioner and further, to quash a letter dated 7.4.2016, issued by the respondent No.4/Bank informing him that his account has been frozen on the instructions of the respondent No.3.
2. A counter affidavit has been filed by the respondent No.4/Axis Bank wherein it has been averred that on the Head Office of the Axis Bank at Mumbai receiving a letter dated 22.2.2016(Annexure R-4/1) from the local Police with regard to some online transfer of funds, suspecting a fraud, the respondent No.4/Bank had received directions from the Head Office to

scrutinize the transactions in the account of a company by the name of M/s Chartered Value Solutions, as maintained with its Tri Nagar Branch and in the course of scrutiny, the Bank had come across some high value transactions that have been changing accounts.

3. One of the accounts mentioned in the letter dated 29.3.2016(Annexure R-4/3) addressed by the respondent No.4/Bank to the Joint CP(Economic Offences Wing), Mandir Marg Branch, New Delhi mentions the current account of the petitioner as well. It is submitted by counsel for the respondent No.4/Bank that on a complaint received from one Mr.Arun Kumar, based in Delhi, FIR bearing No.130/16 has been registered at PS Parliament Street, New Delhi with regard to the account of M/s Chartered Value Solutions, which is being investigated. It is submitted that it is on account of specific instructions received by the respondent No.4/Bank from the Bombay Police that the account of the petitioner has been frozen.

4. Learned counsel for the petitioner states that in view of the averments made by the respondent No.4/Bank in its counter affidavit, he may be permitted to withdraw the present petition while reserving the right of the petitioner to seek de-freezing his account maintained with the respondent No.4/Bank on the criminal side.

5. Leave, as prayed for, is granted. The petition is dismissed as withdrawn, along with the pending application.

HIMA KOHLI, J

NOVEMBER 28, 2016

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