

07.02.2022
Court No.13
Item No.28
AP

WPA 14596 of 2021

**Epocketpay Solutions Private Limited and Ors
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Imtiaz Ahmed
Ms. Ghazala Firdaus
Mr. Sk. Saidullah
Ms. Smita Saha
Ms. Arunima Mukhopadhyay
Mr. Debopam Roy

... For the Petitioners.

Mr. Ashim Kumar Ganguly
Ms. Karabi Roy

... For the State.

Affidavit of service filed in Court today be kept with the record.

The writ petitioners are aggrieved by the fact that their account with the State Bank of India has been frozen for alleged involvement in Cyber Police Station, Kolkata Case No.88 dated 08th July 2021 under Sections 66C/66D of the Information Technology Act, 2000 and under Sections 120B/420 of the Indian Penal Code.

The facts of the case are that one Ajay Kumar Dhir complaint to the Cyber Police Station, Kolkata that he was dishonestly and fraudulently induced through whatsapp to part with sums of money. A portion of sum has been deposited with the account of State Bank of India of the petitioners.

The petitioners' company, Epocketpay Solutions Private Limited, was one of the companies found to have

been involved in receiving sums of money inter alia from the accused person Darshan Patidar and his company. Notice under Section 160 of the Cr.P.C. have not been responded by the petitioners.

In that view of the matter, this Court is of the view that no relief can be granted to the petitioners in the instant case. The writ petitioners may avail the provisions of Section 451 of the Cr.P.C. in the event he wants his bank account to be unfrozen, which shall be decided in accordance with law.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

The report of the Officer-in-Charge, Cyber Police Station, Kolkata Police dated 20th January 2022 is taken on record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)