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17.10.2023
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Ct 14

WPA 3192 of 2023

Partha Manna
-vs-
State of West Bengal & ors.

Mr. Avik Ghatak
Mr. Amit Ranjan Pati
Mr. Purbayan Chakraborty
...for the petitioner
Ms. Soni Ojha
...for the respondent no.10

Mr. Asish Kumar Guha
Mr. Rajendra Chaturvedi
...for the State

Copy of email intimating Hyderabad and Kanpur Police about the pendency of the matter and the date of hearing, as filed on behalf of the respondent bank, is taken on record.

Despite service, no one appears on behalf of the respondent police authorities of the States of Telangana and Uttar Pradesh.

Learned counsel appearing on behalf the petitioner submits as follows. The petitioner is admittedly neither an accused nor a witness in the two FIRs registered by the Uttar Pradesh Police and the Telangana Police, respectively. No notice under the Code of Criminal Procedure had been served upon the petitioner. Yet, the Uttar Pradesh and the Telangana Police Authorities had issued notices to the bank authorities to freeze the bank account of the petitioner. Several attempts were made to reach the Telangana and the

Uttar Pradesh police. Notices were served by the petitioner, by the Registry of this Court and thereafter, by the bank. Yet, the Telangana and the Uttar Pradesh police preferred not to respond. In view of the same, the freeze put on the bank account of the petitioner maintained with the ICICI Bank, Tarakeswar Branch may be released.

Learned counsel appearing on behalf of the State submits that the State would not come in the way if any order is passed in this regard.

Learned counsel appearing on behalf of the Bank submits that despite the best efforts of the bank authorities to reach out to the police authorities of the two States, the said authorities have not responded.

Admittedly the petitioner is neither a witness nor an accused in these cases. Yet, his bank account has been frozen pursuant due to notices issued by the Telangana and the Uttar Pradesh Police. Despite several attempts to reach out to the police authorities of the two States by the petitioner, by this Court and then by the bank, the said authorities have not responded.

The bank account of a citizen cannot remain frozen for an indefinite period without there being any further reason cited by the police authorities of the other States for the same and without the said authorities even caring to respond despite several notices.

In view of the above, it is directed that the freezing of the account of the petitioner maintained with the ICICI Bank

be removed and the account be released for the use of the petitioner at the earliest.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

Parties shall act on a server copy downloaded from the official website of this Court.

(Jay Sengupta, J.)