

AD-21
Ct No.09
03.10.2023
TN

WPA No. 18115 of 2023

Aparesh Samanta
Vs.
Union of India and others

Ms. Gopa Biswas,
Mr. Kabir Hassan,
Ms. Sampriiti Saha

.... for the petitioner

Mr. Satarup Banerjee,
Mr. Sourav Kumar Mukherjee

.... for the UOI

Mr. Somnath Ganguli,
Ms. Priyamvada Singh

.... for the respondent nos.3 & 4

Mr. Anna Malhotra,
Mr. Rishav Maity

.... for the respondent no.5

- 1.** Affidavit-of-service filed today be kept on record.
- 2.** Learned counsel for the petitioner contends that the petitioner's account lying with the IndusInd Bank, Dunlop Branch has been freezed without any rhyme or reason.
- 3.** Learned counsel for the Bank points out to a communication made by the Bank which indicates that due to an intimation by the respondent no.6, the Gujarat National Cyber Crime Reporting Portal, the respondent-Bank has frozen the account of the petitioner.

4. Despite service, none appears for the other respondents apart from the Bank, State of West Bengal and Union of India.
5. Since no rhyme or reason has been furnished by the respondent no.6 for freezing the account of the petitioner, such freezing cannot be sustained.
6. Accordingly, WPA No. 18115 of 2023 is allowed, thereby directing the respondent-Bank to de-freeze the Bank Account No.159836075082 held by the petitioner with the IndusInd Bank, Dunlop Branch and allow the petitioner to operate the said Bank account immediately.
7. However, it is made clear that in the event there is any subsequent cause of action for freezing the Bank account of the petitioner, nothing in this order shall prevent the respondent-authorities from taking appropriate steps in accordance with law and following due process of law in that regard.
8. There will be no order as to costs.
9. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)