

September 26, 2024
Sl. No.5
Court No.9
s.biswas

WPA 9512 of 2024

Sri Debashis Biswas

vs.

The Reserve Bank of India and others

Mr. Krishnendu Bhattacharya

Ms. Somali Mukhopadhyay

Ms. Shalini Bairagi

Mr. Rounak Majumdar

... for the petitioner

Ms. Sreemoyee Mitra

... for the Canara Bank

1. It appears that the account of the petitioner was marked as 'debit freeze' pursuant to the request made by the respondent no.5 i.e. Mankada Police Station. The Cyber Police Coordination Cell of the bank had marked the debit freeze in the account and asked the bank not to defreeze the same.
2. It appears that the said request was made by the Kerala police in the course of investigation with regard to a transfer made to the account of the petitioner, amounting to Rs.11,700/-.
3. There appears to be an investigation of money laundering or some other offence of like nature at Kerala.
4. Under such circumstances, the court was of the view that the Kerala police should be approached by the bank to enquire for how long and in what manner the bank should deal with the said account. It appears that the bank has already

approached the Kerala police, but no information has been received.

5. Under such circumstances, the amount of Rs.11,700/- which was the subject matter of investigation shall be kept and maintained in the account and the petitioner shall be entitled to operate the account subject to the following conditions:

- a) The petitioner shall not receive any transaction from Kerala to the said account or from the person in respect whom investigation is going on;
- b) The bank will monitor the credits and debits from the said account regularly and file necessary information to the Kerala police;
- c) This order shall not prevent the investigating authority from continuing the investigation and calling the petitioner for interrogation or from taking steps pursuant to such investigation;
- d) This order shall not be construed as the exoneration of the petitioner from the investigation which is going on;
- e) The petitioner shall not be allowed to close the account.

6. Accordingly, the writ petition is disposed of.

7. There shall be no order as to costs.

8. All parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)