

21-06-2024
ct no. 13
Sl. 3
pk

WPA 15954 of 2024

Kaushik Agarwala
-Versus-
ICICI Bank & Ors.

Mr. Krishnendu Bhattacharya,
Mr. Priyankar Ganguly,
Mrs. Shalini Bairagi,
Ms. Neelanjana Ghorui,
...for the petitioner

Mr. Avishek Guha,
Ms. Sonal Syamal
...for the ICICI Bank.

1. Affidavit of service filed in Court is taken on record.

2. The petitioner runs a petrol pump under license issued by the Indian Oil Corporation (IOC). The current account of the petitioner is with the two several banks, namely, ICICI Bank and the Bank of Baroda.

3. The IOC has an automatic credit advice from the petitioner for deducting sums of money on a particular date of each month.

4. The writ petition has been filed challenging intimation of a debit freeze by the ICICI Bank in the account.

5. Counsel for the writ petitioner submits that he is not involved in a criminal proceeding to the best of his knowledge.

6. Counsel for the ICICI Bank refers to a communication received from the S.H.O., Cyber Crime Police Station, Katihar, Bihar dated 11th June, 2024 addressed to the Bank, ordering a debit freeze in the petitioner's account with them as also the Bank of Baroda in connection with FIR No. 32 of 2024 dated 20th May, 2024 under Sections 419/420 of the IPC and Sections 66(C) and 66(D) of the I. T. Act of 2005.

7. This Court is of the view that the writ petitioner should approach the Patna High Court at Bihar which has territorial jurisdiction over the Katihar Police Station to seek remedies as pleaded in the instant writ petition.

8. With liberty and leave reserved to the writ petitioner to move the Patna High Court or the Court of the competent jurisdiction on the self same cause of action, the instant writ petition is dismissed as withdrawn.

9. The communication received by the ICICI Bank dated 11.06.2024 from the S.H.O., Cyber P.S., Katihar is kept with the record.

10. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)

