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16.04.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 3709 of 2025

Mr. Kirti Narayan Chanda
Vs.
Reserve Bank of India & Anr.

Ms. Micky Chowdhury

...for the Petitioner.

Ms. Sambrita B. Chatterjee.

...for the ICICI Bank.

1. The petitioner alleges that the ICICI Bank has frozen his bank account standing in the name of M/s. Diamond Dairy on the ground that the said account was involved in fraudulent transactions.
2. From the communication made by the Branch Manager of the Bank to the petitioner, it appears that the freezing was made in connection with a criminal case being no. 246205001052, IFSC Code ICIC 0002462 is pending consideration before the Aluva East Police Station vide Crime No. 729/2024 of Aluva East PS (PTN NO. 21504240006039 CNRB) (Police Authority).
3. A sum of Rs. 24,717/- in the account of the petitioner has been found to be involved in the fraudulent transaction.
4. The petitioner claims that there is Rs. 19 lakh and odd in his account.
5. It has been submitted that the petitioner's company is an MSME and if the account is frozen, the petitioner will not be in a position to conduct his business.
6. It has been submitted that the petitioner is not named in the FIR and the petitioner is no way related with any fraudulent transaction whatsoever.
7. Learned advocate representing the Bank submits, upon instruction that, the account of the petitioner has been

frozen upon instruction received from the Aluva East Police Station.

8. Upon hearing the parties and on perusal of the documents on record, it appears that the amount over which a lien has been marked is Rs. 24,717/-. There is no order from any competent forum to freeze the entire amount in the bank account of the petitioner.
9. Accordingly, the Branch Manager of the ICICI Bank is directed to permit the petitioner to operate his account. However, the bank will hold lien of over Rs. 25,000/- (twenty five thousand only) of the said account. The operation by the petitioner shall be started within a period of 48 hours from the date of communication of this order.
10. The writ petition stands disposed of.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all the requisite formalities.

(Amrita Sinha, J.)