

23.06.2025

Item No.4

Ct. No.35

dc.

W.P.A. 11871 of 2025

OYO Hotels and Homes Pvt. Ltd. & Anr.

versus

The State of West Bengal & Ors.

Mr. Soumendra Nath Mookherjee, Sr. Adv.,
Mr. Dipanjan Dutt,
Mr. Soumodip Ghosh ... For the Petitioners.

Mr. Swapan Banerjee, AGP,
Ms. Sumita Shaw,
Mr. Diptendu Narayan Banerjee,
Mr. Soumen Chatterjee ... For the State.

Mr. Amar Singh,
Mrs. Tutul Das,
Mr. Ranjit Singh,
Mr. Ratul Deb Banerjee,
Ms. Sanchita Banerjee ... For the Respondent No.7.

Report submitted by the learned advocate
appearing for the State be kept with the record.

The petitioners have approached this Court
with a prayer for defreezing the account being No.
10123316375 maintained with IDFC First Bank
Limited at its branch being Ground Floor, Unit No.
110-111, Space Platinum Tower, Sohna Road,
Gurgaon, Pin-122101. The said account was
freezed by the investigating officer who is
investigating Techno City Police Station Case No. 68
of 2025 dated 26.04.2025.

Mr. Mookherjee, learned senior advocate
appearing for the petitioners submits that the
petitioners have already instituted a case against
his employees/agents who have deprived the
company by collecting fund/money from individual
customers and duped them. To that effect, a case

has been registered being Electronics Complex Police Station Case No. 82 of 2025 dated 01.05.2025.

Mr. Banerjee, learned advocate appearing for the State has submitted a report which reflects that initially the account was frozen. However, subsequently on complaint, the account has been again frozen in connection with Techno City Police Station Case No. 68 of 2025. Mr. Banerjee, on instructions from the investigating officer of the case, submits that so far as the customers who have now complained the amount so involved is around Rs.37,00,000/- wherein the money trail has allegedly reached at the concerned branch maintained with IDFC First Bank Limited of OYO Hotels and Homes Pvt. Ltd.

Having considered the quantum of amount and the subject-matter of the criminal case relating to Techno City Police Station Case No. 68 of 2025 and the amount of money which was available at the account of the petitioners at the relevant point of time, I direct that respondent no.7 would restrict the directions of the investigating officer for freezing of the account to the tune of Rs.37,00,000/-. So far as the rest of the amount is concerned, the petitioner/Company is allowed to use the same under ordinary course of business subject to such terms and conditions as imposed by the learned

Chief Judicial Magistrate, Barasat who is in seisin of Techno City Police Station Case No. 68 of 2025 dated 26.04.2025.

Learned advocate for the respondent no.7 enters appearance and submits that the steps taken by the Bank were pursuant to the instructions of the police authorities.

The Investigating Officer of the case is present along with case diary. His further appearance in this case is dispensed with.

As no affidavits have been called for, the allegations made in the writ petition as also the submissions advanced on behalf of the State are deemed not to have been admitted by the respective parties.

With the aforesaid observations, the writ petition being WPA 11871 of 2025 is disposed of.

There will be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)