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14.01.2025
Court No. 14
BP/AGM

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 27435 of 2024

Gomes Enterprise & Anr.
-versus
The Union of India & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Pintu Karar,
Mr. Akashdeep Banerjee.
...For the Petitioners.

Mr. Samir Kumar Dutta,
Mr. Jasojeet Mukherjee.
...For UOI.

Ms. A. Rao.
Mr. N. Dutta.
... for the Federal Bank Ltd.

1. The bank account of the petitioners being Current Account No. 11960200072728 standing in the name of Abshar Parveen has been frozen by the Federal Bank on the request of the IFSO, Special Cell, Delhi as the same has been found to be involved in fraudulent transaction.

2. It appears from the FIR lodged before the Investigating Officer that a sum of Rs. 12,62,493/- of the petitioners' bank account was connected with such illegal transaction.

3. From the Pass Book of the Bank Account, it appears that the petitioners hold amount more than the amount that has been found to be involved in the fraudulent transaction.

4. The FIR pursuant to which the bank account has been frozen is FIR No. 499 of 2024 under Sections 318(4)/319(2) BNS dated 29th October, 2024 PS Special

Cell and the trial is pending consideration before the learned Chief Judicial Magistrate, Patiala House Courts, New Delhi.

5. As the petitioners have amount more than the amount which is reflected in the FIR, accordingly, the Bank is directed to keep lien over a sum of Rs. 15 lakh only and permit the petitioners to operate the balance amount that is in the said bank account. The amount held in lien shall be subject to the order passed by the learned Trial Court. The petitioner shall be bound to cooperate with the investigation process.

6. The writ petition stands disposed of.

7. Documents handed over by the learned advocate representing the Bank are retained with the records.

8. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)