IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Writ Petition No.270 of 2025

Shree Ganesh Gramin Bigar Sheti Sahakari Patsanstha Maryadit, through its CEO, Khat, Tah. Mouda, Distt. Nagpur
vs.
Union of India, Ministry of Home Affairs, New Delhi and others

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Office notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

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Mr. Mahendra Limaye, Advocate for the Petitioner.
Mr. S.A. Chaudhari, Advocate for Respondent No.1.
Mr. R.S. Suryawanshi, Advocate for Respondent No.3.

CORAM : ANIL L. PANSARE & M.M. NERLIKAR, JJ.
DATE : 19th AUGUST, 2025.

Heard.

02. The petitioner's account is debit-freezed in view of the complaint allegedly lodged by one Mr. Sagar Jha through helpline portal. The nature of complaint that could be gathered from the document placed before us at Annexure-P4 is Escort Service Fraud of Rs.98,000/-. This document also refers to the fraudulent amount reported by the complainant, which is to the tune of Rs.2,62,580/-. This document then refers to the fact indicating the account number in which the fraudulent transaction has allegedly taken place. The account number of the petitioner is not mentioned in the chart.

03. The learned Counsel for the petitioner submits that the petitioner is a co-operative society having around 1100 account holders. The petitioner's account is debit-freezed, because the fraudulent transaction has been allegedly taken place through the accounts of the account holders with the petitioner.

04. The argument is that even if it is presumed that some of the account holders had nexus with the fraudulent transaction, the petitioner's account could not have been debit-freezed. The action has affected the day-to-day operation of the petitioner-society.

05. The submission so made remains un-controverted as none appeared for respondent No.2, the Investigating Agency. The account has been debit-freezed by respondent No.3-ICICI Bank at the instance of respondent No.2.

06. Thus, it appears that respondent No.3 has acted at the behest of respondent No.2, who is absent despite service. The learned Counsel for respondent No.3 seeks time to place on record the correspondence directing respondent No.3 to debit-freeze the account of the petitioner.

07. Time, as sought for, is granted.

08. At this stage, the learned Counsel for the petitioner makes a request for interim relief on the count that the petitioner has taken necessary steps to protect the money involved in the alleged fraud. He submits that the petitioner has debit-freezed the accounts of two customers allegedly involved in the fraudulent transaction.

09. In our view, the action taken by the petitioner should serve the purpose because the amount involved in the fraud is secured. The lien mark is for Rs.2,90,983/-. The learned Counsel for the petitioner submits that two customers, whose accounts have been frozen, have a credit balance for the said amount. Thus, the amount involved in alleged fraud has been secured.

10. Considering the above facts, though we grant time to respondent No.3 to place on record the correspondence, we are inclined to grant interim relief, as prayed for, by the petitioner.

11. Accordingly, we direct respondent Nos.2 and 3 to remove the lien mark for an amount of Rs.2,90,983/- on petitioner's Bank Account No.049505003141 held with respondent No.3. The petitioner shall, however, continue to debit-freeze the accounts of two customers viz. Mr. Ramesh Ankush Lanjewar and Mr. Pravej Minajuddin Zadiye.

12. Stand over to **2nd September, 2025.**

(M.M. Nerlikar, J.) **(Anil L. Pansare, J.)**

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