



CWP-27754-2025

-1-

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

253

CWP-27754-2025

Date of Decision:02.12.2025

KAPIL

...PETITIONER

VERSUS

CANARA BANK AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Sudesh Sahi, Advocate  
for the petitioner.

Mr. Gaurav Goel, Advocate and  
Mr. Teginder Singh, Advocate  
for the respondent-Bank.

\*\*\*\*\*

**SUVIR SEHGAL, J.**

1. This petition has been filed, *inter alia*, for issuance of a writ in the nature of mandamus directing respondents to de-freeze petitioner's Savings Account maintained at Canara Bank, Kailash Nagar, Ludhiana, Punjab – respondent No.1.

2. Counsel for the petitioner states that petitioner has a Savings Bank Account No.110224327705 with Canara Bank-respondent No.1, which has been blocked on 01.02.2025. Upon inquiry, petitioner came to know that on the basis of notices received from Patna Cybercrime Police Station, respondent No.2, account has been frozen. He has made a categorical assertion there is no allegation of fraud against the petitioner, nor is he an accused in any criminal matter referred to in bank's communications.

CWP-27754-2025

-2-

3.           Upon instructions, counsel for respondent No.1 - Canara Bank states that the disputed amount is Rs.2,000/- and bank has taken action on basis of instructions from law enforcement agency. He has filed affidavit of Manager of respondent No.1, which is taken on record.
4.           I have heard counsel for the parties and considered their respective submissions.
5.           An Investigation Agency can freeze a bank account only upon obtaining an order from the jurisdictional Magistrate in terms of Section 107 of BNSS, 2023 as has been held in Mr. Kartik Yogeshwar Chatur and ors. Versus Union of India and ors., Law Finder Doc Id # 2812474. No such order could be brought to the notice of the Court by counsel for respondent No.1.
6.           Keeping in view the observations made by a co-ordinate Bench of this Court in CWP-3464-2024, titled as Jaspreet Singh Versus Union of India and others, decided on 05.07.2024, writ petition is disposed of with a direction to respondent No.1 to de-freeze Savings Account No. 110224327705. Bank - respondent No.1 will, however, make a lien of the disputed amount, i.e., Rs.2,000/-, and petitioner would be at liberty to utilize the remaining balance amount lying in his account, without prejudice to any other order of attaching or for freezing the account.

02.12.2025  
sheetal

(SUVIR SEHGAL)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |