

2025:PHHC:176362



CWP-33061-2025

-1-

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

123

CWP-33061-2025

Date of Decision : 09.12.2025

SANDEEP SINGH

.... PETITIONER

V/S

AU SMALL FINANCE BANK AND ANR

.... RESPONDENTS

CORAM:HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr.Ankit Gupta, Advocate
for the petitioner.

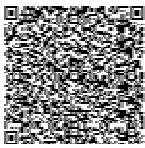
Mr. Vaibhav Mittal, Advocate
for respondent No.1.

SUVIR SEHGAL, J. (Oral)

1. This petition has been filed, inter alia, for issuance of a writ in the nature of mandamus directing respondents to defreeze petitioner's Savings Account maintained at AU Small Finance Bank, Branch Sector-32 A, Ludhiana – respondent No.1.

2. Counsel for the petitioner states that petitioner is maintaining a savings bank account No.2301257549155802 with the bank- respondent No.1. He submits that on 23.07.2025 petitioner was informed that his account had been frozen on the basis of a communication received from Cyber Police Station, Panipat- respondent no.2. He further states that the disputed amount is only Rs.13,000/-, as per information received from the bank. He has made a categoric assertion that there is no allegation of fraud against the petitioner, nor

is he an accused in any criminal matter referred to in bank's communication.



CWP-33061-2025 -2-

3. Upon instructions, counsel for respondent No.1 – bank states that two complaints have been received. The first complaint was received from Cyber Cell, Tamil Nadu wherein the disputed amount is Rs.9,000/- and the second one was received from Haryana Police wherein the disputed amount is Rs.4000/-.
4. I have heard counsel for the parties and considered their respective submissions.
5. An investigating 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 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 defreeze petitioner’s Savings Account. Bank- respondent No.1 will however make a lien of the disputed amount i.e. Rs.13,000/- and petitioner would be at liberty to utilize the balance amount lying in his account, without prejudice to any other attachment order or any order freezing the account.

(SUVIR SEHGAL)
JUDGE

09.12.2025
anju

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No