

CWP-36093-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-36093-2025

Date of Decision:22.12.2025

PRANAV GULATI

...PETITIONER

VERSUS

UNION OF INDIA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Sanyam Khetarpal, Advocate
for the petitioner.

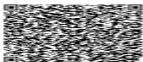
Mr. Satya Pal Jain, Additional Solicitor General of India
(through VC) with
Mr. Tapan Masta, Senior Panel Counsel,
for respondent No.1-UOI.

Mr. Nitin Thatai, Advocate
for respondent No.2 through VC.

SUVIR SEHGAL, J.

1. This petition has been filed, *inter alia*, for issuance of a writ in the nature of mandamus directing respondent No.2 to de-freeze petitioner's Savings Account maintained at HDFC Bank, Sector 43 Branch, Chandigarh, respondent No. 2.

2. Counsel for the petitioner states that petitioner has a Savings Bank Account No.50100178607761 with respondent No.2, which has been blocked on 04.01.2024. Upon inquiry, petitioner came to know that on the basis of cyber-crime complaint received from Tirupati Cybercrime Police Station, the account has been frozen. Counsel has made a categorical assertion there is no allegation of fraud against the petitioner, nor is he an accused in



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any criminal matter referred to in communications received by bank from cyber cell.

3. Upon instructions, counsel for respondent No 2 states that the disputed amount is Rs.10,000/- and bank has taken action on basis of instructions from law enforcement agency.

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 others Versus Union of India and others, Law Finder Doc Id # 2812474.

No such order could be brought to the notice of the court by counsel for respondent No.2.

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.2 to de-freeze Savings Account No.50100178607761. Respondent No.2 will, however, make a lien of the disputed amount, i.e., Rs.10,000/- 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.

22.12.2025
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No