



CWP-36180-2025

-1-

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

132

CWP-36180-2025

Date of Decision:22.12.2025

PARDEEP

...PETITIONER

VERSUS

KOTAK MAHINDRA BANK

...RESPONDENT

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present: Mr. Pardeep Panwar, Advocate  
for the petitioner.

Mr. Nitin Thatai, Advocate  
for the respondent through VC.

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**SUVIR SEHGAL, J.**

1. This petition has been filed, *inter alia*, for issuance of a writ in the nature of mandamus directing respondent to defreeze petitioner's Savings Account maintained at Kotak Mahindra Bank, Sector-10A Branch, Gurugram, Haryana.

2. Counsel for the petitioner states that petitioner is an advocate by profession and is practising at District Court, Gurugram. He is maintaining Savings Account No.0812191187 with the respondent-Bank. He submits that on 23.10.2025, petitioner was informed by way of an SMS, Annexure P-1, that his account had been debit freezed on the basis of instructions received from Cyber Police Station, Tiruchirappalli, Tamil Nadu. Counsel 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 communication received by bank from cyber cell.

3. Upon instructions, counsel for the respondent-bank states that



CWP-36180-2025 -2-

the freeze was applied on the basis of information received from the Cyber Police Station and the disputed amount is Rs.12,616/-. He states that there are some suspected transactions in the account and account shall be defreezed only upon the petitioner submitting the necessary documents to the satisfaction of the bank.

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

No such order could be brought to the notice of this Court by counsel for the respondent-bank.

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, the writ petition is disposed of with a direction to the respondent-bank to defreeze Savings Account No.0812191187. Bank will, however, make a lien of the disputed amount, i.e. Rs.12,616/- and petitioner would be at liberty to utilize the remaining balance amount lying in his account, without prejudice to any other attachment order or any order freezing the account.

22.12.2025  
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(SUVIR SEHGAL)  
JUDGE

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