$~55

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ CRL.M.C. 380/2025

KHUBANI AND SONS A PARTNERSHIP FIRM THROUGH ITS AUTHORIZED PARTNER MR. MANOJ MAHADEV KHUBANI

.....Petitioner

Through: Mr. Prakhar Srivastava, Adv.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Aman Usman, APP with SI Ganga Pal, PS EOW

**CORAM:**
**HON'BLE MR. JUSTICE RAVINDER DUDEJA**

**<u>O R D E R</u>**

% **26.08.2025**

**<u>CRL.M.C. 380/2025</u>**

1. This is a petition under section 528 BNSS seeking quashing of order dated 06.11.2024 passed by the Ld. CJM whereby the application filed by the petitioner for de-freezing the account of the petitioner has been dismissed.

2. The Ld. Counsel for the petitioner submits that petitioner had sold gold bars equivalent to 121.21 grams of gold worth Rs. 8,92,392/- to M/s L&T SUGG.JV against bills.

3. It is submitted that the account of the petitioner has been debit freezed by the police officials of PS EOW in connection with case FIR no. 127/2024. The petitioner has no role in any illegal activity and has never

indulged in any criminal activity so much so he had even no knowledge about the FIR. It is further submitted that as a result of freezing of the account of the petitioner the business of the petitioner is suffering, resulting in losses.

4. The Ld. APP submits that FIR in this case has been registered on the complaint of the Axis Bank and as per the complaint the current account in the name of L&T- SUCG JV was opened on 10.01.2008. On 07.06.2024 a request was received for changing the phone number in the account from an unknown person. Corporate Internet Banking access was granted on such a request and mobile number and email specified on the request form was given the access. Post grant of Corporate Internet Banking access 94 transactions aggregating to INR 8.94 crore was made during the period 11.07.2024 to 30.08.2024 through internet banking and a total of Rs. 8.94 crores was siphoned off in various bank accounts through internet banking including the bank account of the petitioner herein. It was later realized that the documents submitted were forged documents. Chargesheet has since been filed against two persons namely Ashish Khandelwal and Nitin Dongre. However, it is submitted that the role of petitioner cannot be ruled out at this stage as other persons involved with the case are yet to be interrogated and arrested.

5. On 04.10.2024, petitioner came to know from the Axis Bank officials about debit freeze of his firm's bank account due to a fraudulent credit of an amount of INR 8,92,392/- (Rupees Eight Lakhs Ninety-Two Thousand Three Hundred Ninety-Two only) in his firm's bank account.

6. Chargesheet has since been filed against two persons namely Ashish Khandelwal and Nitin Dongre. However, it is submitted that the role of

petitioner cannot be ruled out at this stage as other persons involved with the case are yet to be interrogated and arrested.

7. The Ld. APP submits that the account of the petitioner in which money was received was debit freezed to prevent it from further mis-appropriation. However, he has no objection in case the account be de-freezed subject to keeping a lien of Rs. 8,92,392/- and petitioner joining the investigation as and when directed.

8. The Ld. Counsel for the petitioner submits that petitioner undertakes to co-operate with the investigation.

9. Since the investigation has revealed that the petitioner received a total amount of Rs. 8,92,392/- from the victim company's bank account i.e. L&T SUCG (JV), petition is disposed of with direction to the Axis Bank, Gangapur Road, Nasik to de-freeze the account no. 917020081297136 subject to keeping a lien of Rs. 8,92,392/-.

10. The petition accordingly stands disposed of.

11. Copy of this order be given dasti under the signatures of the Court Master.

**RAVINDER DUDEJA, J**

**AUGUST 26, 2025/lks/na**