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

% ***Date of Decision: 20th January, 2025***

+ W.P.(C) 4023/2024
BHAVYA SINGH

.....Petitioner

Through: Mr. Anurag Srivastava with
Mr. Ashish Dabas, Advocates.

versus

RESERVE BANK OF INDIA & ORS.

.....Respondents

Through: Mr. Abhinav Sharma with Mr. Dipan
Sethi and Mr. Snehashish
Bhattacharya, Advocates for
respondent No.1.
Mr. Arkaj Kumar, Standing Counsel
for ED with Mr. Aakarsh Mishra,
Mr. Ishank Jha and Ms. Viashnavi
Bhargava, Advocates (through V.C.)
Ms. Sreeparna Basak with Ms. Aditi,
Advocates for Respondent No.
2/ICICI Bank (through V.C.)

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

W.P.(C) 4023/2024 & CM APPL. 1978/2025 (early hearing)

1. Petitioner is running a business of clothes under the name and style of "KUDOS".
2. For the smooth working of her business, she also opened a current account in the name of KUDOS. Such current account bearing No. 057105001291 was opened with ICICI Bank at its branch situated at Palam Extension, Dwarka, Sector – 7, New Delhi.
3. According to the petitioner, in January, 2022, the petitioner learnt that her above said current account had been frozen, rendering



her incapable to withdraw or transfer any amount from her above said current account. She sent a communication to the *customer care* of ICICI Bank and also to the *Ombudsman* seeking redressal of her grievance, but to no avail.

4. According to the petitioner, her account had been frozen as per some communication received from Directorate of Enforcement (ED) but according to her, there was no reason for ED to have frozen her account. According to her, she is not involved in any kind of investigation, much less a criminal one. She also noticed that on 31.10.2022 a sum of Rs.1,00,325/- had been transferred out from her account and was credited to the account of ED, without any information to her and without her permission.

5. According to her, the above said step was also taken in arbitrary manner and it is in the above said factual scenario, she has been compelled to file the present writ petition.

6. Reply affidavit has been filed by respondent No.2/ICICI Bank and according to them, they had merely acted in compliance of the order/directions issued by ED.

7. Sh. Arkaj Kumar, learned Standing Counsel for ED has joined the proceedings through video conferencing and has, at the very outset, submitted that, unfortunately, it was a case of mistaken identity. According to him, the account of one entity known as “KUDOS FINANCE AND INVESTMENT PVT. LTD.” was to be attached/frozen but because of the similarity in the name and on account of such utter confusion, the account of the petitioner herein has been attached. He submits that he would have no objection if the writ



petition is allowed and the account is directed to be defreezed with immediate effect. It is also undertaken that the above said amount of Rs. 1,00,325/-, which had been transferred from the petitioner's current account, would be re-transferred to her account within a period of four weeks.

8. Ms. Sreeparna Basak, learned counsel for respondent No.2/ICICI Bank has also joined the proceedings through video conferencing and submits that on the basis of the aforesaid submission made by learned counsel for ED, they would issue requisite instructions for defreezing the current account in question.

9. In view of the above said statement and assurance given by learned counsel for respondent No.2/ICICI Bank and also by learned counsel for respondent No.3/ED, learned counsel for the petitioner submits that he does not press the present petition as the petitioner is left with no grievance in the matter. He, however, supplements that without cross-checking the vital facts, ED should not have frozen the account of someone else. He submits that the petitioner, however, reserves her right to seek compensation for such wrongful attachment of her current account.

10. Keeping in view the above statements, the writ petition stands disposed of accordingly. Respondents are made bound by their respective statements.

11. The next date of 04.03.2025 is cancelled.

(MANOJ JAIN)
JUDGE

JANUARY 20, 2025/st