



\$~13

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

+ **W.P.(C) 5336/2025**

M/S EXPERT AYURVEDA

.....Petitioner

Through: Mr. Anubhav Dubey and Mr.
Sachidanand Chaudhary, Advocates.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Jagdish Chandra, CGSC with Mr.
Sidharth Bajaj and Ms. Maanya Saxena,
Advocates for UoI.

Mr. Prevendra Kumar Sharma, Advocate for
R-2/HDFC Bank.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

%

09.12.2025

1. This writ petition is filed on behalf of the Petitioner under Articles 226 and 227 of the Constitution of India for a direction to Respondent No. 2 to defreeze the bank account of the Petitioner, details of which are mentioned in the writ petition.
2. Issue notice.
3. Counsels, as above, accept notice on behalf of the respective Respondents.
4. Learned counsel for the Petitioner submits that the cyber complaint filed against the Petitioner, pursuant to which Respondent No. 2/HDFC Bank has frozen the bank account of the Petitioner is false inasmuch as



Petitioner had delivered the goods to the customer in Gujarat under a valid work order. In any event, the dispute can at the highest be a civil dispute and there was no reason for HDFC Bank to freeze the bank account of the Petitioner. No notice was given to the Petitioner nor was it called upon to explain the transaction and the freezing of the account has led to grave prejudice to the Petitioner. Moreover, as per the complaint the disputed amount is Rs. 1,000/- and therefore, in any event, HDFC Bank was not entitled to freeze the bank account, which holds larger sum of money. In support of the plea, counsel relies on the judgment of this Court in ***Pawan Kumar Rai v. Union of India & Anr., W.P.(C) 15066/2024***, decided on 17.12.2024.

5. Learned counsel for HDFC Bank fairly submits that the case of the Petitioner is covered by the judgment relied on and appropriate direction be passed by the Court.

6. After hearing the counsel for the Petitioner, I find merit in the contention that Petitioner's case is covered by the judgment in ***Pawan Kumar Rai (supra)***. In the said case, even as per the version of the investigating agency, if correct, only a sum of Rs. 105/- had landed in the bank account of the Petitioner and contention of the Petitioner was that at best, the bank could have put a lien on this amount instead of freezing the entire account brining Petitioner's life to a virtual standstill. Agreeing with the Petitioner, Court held that passing an order of freezing of the entire bank account has a serious and adverse implication and invades and encroaches upon his invaluable right to earn and live with dignity and violates Article 21 of the Constitution. Furthermore, when the investigating agency has itself identified a specific sum credited to the bank account of the Petitioner, it is



difficult to comprehend as to why the entire bank account has been freezed. In this backdrop, the bank was directed to defreeze the account by marking a lien restricted to the disputed amount credited in Petitioner's account i.e., Rs. 105/- and permitted the Petitioner to operate the bank account.

7. In the present case, the disputed amount allegedly credited to Petitioner's bank account is Rs. 1,000/-, assuming there is any truth in the cyber complaint. Therefore, applying the judgment of this Court in ***Pawan Kumar Rai (supra)***, this writ petition is allowed directing HDFC Bank to mark lien on a sum of Rs. 1,000/- and defreeze the bank account. Petitioner will be permitted to operate the bank account in whatever manner it wants. The bank shall send a copy of this order to the concerned investigating agency for information.

8. Writ petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

DECEMBER 9, 2025

S.Sharma