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

\+ W.P.(C) 5839/2025

HT MEDIA LTD. .....Petitioner

Through: Mr. Umang Tyagi, Mr. Zuber Ali and Mr. Christopher Thomas, Advs.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Ms. Survi Agarwal and Mr. Farman Rayeeni, Advs. for R-5 & R-6/RBL Bank.
Ms. Tanya Chowdhary and Ms. Manisha Singh, Advs. for RBI.
Mr. Mukul Singh, CGSC with Ms. Ira Singh and Mr. Aryan Dhaka, Advs. for R-1 to R-3.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

O R D E R

% 01.07.2025

CM APPL. 35544/2025 ***(early hearing)***

1. The present application has been filed on behalf of the petitioner seeking early hearing of the petition.

2. For the reasons mentioned in the application, the same is allowed and the petition is taken up today for hearing.

3. The application is disposed of.

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4. In view of the above order in CM Appl. 35544, the present petition is taken for consideration today itself with the consent of the parties as the counter-affidavit stands filed by the contesting respondents i.e. respondent nos. 5 and 6.

5. The present petition has been filed by the petitioner praying *inter alia* for direction to the respondent nos. 5 and 6 (The Ratnakar Bank Ltd.), to de-freeze the account of the petitioner bearing no.405638284478 maintained by the petitioner with the said bank.

6. Mr. Umang Tyagi, the learned counsel for the petitioner submits that the petitioner is a reputed and leading media company in India owning and operating multiple platforms including www.shine.com, an online recruitment market place that acts merely as a technology-based intermediary.

7. He submits that apart from offering services of recruitment on the said website, which is free, the petitioner is also offering courses in skill enhancement where various individuals all over the country are taking benefit of the said programmes.

8. He submits that at times some complaints are made by the individuals in case they are not satisfied by the services of the petitioner which has led to the freezing account of the petitioner on earlier occasions as well.

9. He submits that in the counter-affidavit, the respondent bank has referred to as many as 51 disputed amounts credited into the aforesaid bank account of the petitioner, but the petitioner has settled the matter with majority of the complainants and only few complaints remain unresolved.

10. He further contends that amount with regard to which individual

complaints have been made, are meagre, and on the basis of same, placing debit freeze on the entire account of the petitioner is not justified.

11. He invites attention of the Court to the counter-affidavit of respondent bank which is handed over in Court during the course of the proceedings. The same is taken on record. He submits that the bank itself has taken a stand that the lien amount is to the extent of Rs.10,06,770.86/-, though, the credit balance available in the aforesaid account is to the extent to Rs.11,26,81,851.49/-. The relevant paragraph from the counter affidavit reads thus:

> *"6) It is further submitted that on receipt of the Police notices instructing the bank to debit freeze/lien amount, the respondent bank had complied the Police notices and duly reverted the said authority. On 19.03.2025, precautionary freeze is marked on account. Total Lien Amount is INR 10, 06,770.86/-, Closing Balance on the account is INR 11,26,81,851.49/- Available balance to this captioned account is under debit freeze. The actions are solely aimed at ensuring compliance with the legal obligations imposed upon us by the relevant statutory provisions......"*

12. Mr. Tyagi submits that though, the petitioner dispute the lien amount, however, without entering into the said controversy, the petitioner has no objection in case the lien is marked on the said amount and the debit freeze is removed.

13. He further submits that the aforesaid account is the primary account of the petitioner, inasmuch as the said account is the only account of the petitioner's business offering recruitment services through its website www.shine.com, and on account of such debit freeze having been placed, the petitioner is not able to pay the salaries of its employees ever since the

account was debit frozen.

14. A perusal of the counter-affidavit shows that the disputed transactions which have been enumerated in the para 3 of the counter-affidavit, are from 15.12.2023 till 04.03.2025, and it appears that there are only two transactions of the current calendar year, and the they are of the same date i.e. 04.03.2025.

15. On a query posed by the Court that whether any further communication has been received by the bank from the investigating agency, Ms. Survi Agarwal, the learned counsel for the respondent bank fairly states that no further communication has been received by the bank from the investigating agency in respect of the disputed transactions which have been enumerated in para 3 of the counter-affidavit.

16. This Court in ***Pawan Kumar Rai v. Union of India, (2024 SCC OnLine Del 8936),*** while dealing with somewhat similar controversy, has observed as under:

> *"25. Indubitably, passing of an order of freezing the entire bank account of the petitioner has a serious and adverse implication and invades and encroaches upon his invaluable right to earn and live with dignity. The impugned action, in essence, amounts to a violation of fundamental right of the petitioner, as it directly undermines his right to livelihood, which is integral part of the Right to Life guaranteed under Article 21 of the Constitution.*
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> *26. Furthermore, when the Investigating Agency has identified a specific sum credited to the bank account of the petitioner, it is difficult to comprehend as to why the entire bank account of petitioner has been freezed.*
>
> *27. Thus, the continued freezing of the entire bank account of the petitioner, without even hinting that the petitioner was either*

mastermind or accomplice in the cybercrime or knowingly received the funds as part of any illegal activity will not be justifiable and sustainable, at the moment..."

17. In view of the above decision of this Court, and considering the submission of the learned counsel for the petitioner, as well as, the stand taken by the bank, it is expedient to de-freeze the aforesaid account of the petitioner with further direction to the bank to mark lien on an amount of Rs. 10,06,770.89/- as mentioned in para 6 of the counter-affidavit. Ordered accordingly.

18. The petition stands disposed of. The date already fixed in the petition i.e. 14.07.2025 stands cancelled.

19. It may also be observed that in case the bank receives any complaint in future, the bank shall communicate the same to the petitioner before taking any adverse action.

VIKAS MAHAJAN, J

JULY 1, 2025/dss