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

+ W.P.(C) 7003/2025

ESANA

.....Petitioner

Through: Mr. Vinod Dubey, Ms. Shikha Dubey
and Mr. Anurag Dwivedi, Advs.

versus

YES BANK & ANR.

.....Respondents

Through: Mr. Karan Kapoor, Relationship
Manager of Yes Bank.
Mr. Kunal Mimani, Standing Counsel
for State of West Bengal with Mr.
Parag Chaturvedi and Mr. Mranal
Prajapat, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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31.07.2025

1. The present petition has been filed seeking following relief:

“(a) Issue an appropriate writ, order, or direction in the nature of mandamus directing Respondent No. 1 (YES Bank, Connaught Place Branch, New Delhi) to forthwith de-freeze/unfreeze the Petitioner’s Bank Account No.059752000003141 in order to enable the Petitioner to access and withdraw funds for the purpose of solemnization of her daughter’s marriage;

(b) Direct Respondent No. 1 to permit the operation of the aforesaid bank account immediately upon receipt of instructions from Respondent No. 2 and render full cooperation in implementing the directions issued by this Hon’ble Court;



(c) In the alternative, permit the Petitioner to withdraw the amount lying in the said bank account, after retaining a sum of Rs. 10,000/- (Rupees Ten Thousand only) as security towards any ongoing investigation, if any;

(d) Direct Respondent No. 2 to take appropriate steps to complete the investigation within a reasonable time, and in the event no incriminating material is found, to instruct Respondent No. 1 to unfreeze the said bank account in its entirety and allow full access to the Petitioner;”

2. Learned counsel appearing on behalf of petitioner submits that the petitioner is maintaining her bank account number 059752000003141 with respondent no.1/Yes Bank at its branch at H-18 and H-19, Connaught Place II, Ground Floor, New Delhi.

3. The account has been debit freezed by the respondent bank for the reason that there is some suspicious entry of Rs. 5000/- in the petitioner's account.

4. Mr. Karan Kapoor, Relationship Manager of the respondent no.1/Yes Bank has joined through VC. On a query posed by the Court that on whose instructions the account has been debit freezed, he has not been able to give any satisfactory reply.

5. Notice was also issued by the Court to the State of West Bengal. Mr. Kunal Mimani, learned Standing Counsel representing the State of West Bengal is present in Court, he has handed over a letter dated 28.05.2025 written by the Deputy Superintendent of Police, Cyber Crime Wing, West Bengal to the Bank seeking following information:

“(i) Authority of Order: *The name and designation of the authority who issued the order to freeze the mentioned account.*

(ii) Copy of Order: *A certified copy of the order or directive that led to the freezing of account.*



(iii) Reason for Freezing: A detailed explanation of the reasons for the account freeze.”

6. The aforesaid letter has been handed over in Court and the same is taken on record.
7. He submits that though the complaint on which the account has been debit frozen pertains to the State of West Bengal but no instructions were given by the State Police to the Yes Bank to debit freeze the account.
8. It appears that on account of some suspected entry of Rs. 5000/-, the account of the petitioner has been debit frozen. It is not the case of the respondents that the petitioner is an accused in any criminal case.
9. Having regard to the aforesaid facts, the Yes Bank is directed to de freeze the account of the petitioner after marking lien on an amount of Rs.5000/-.
10. The petition alongwith pending application is disposed of in the above terms.
11. Order *dasti* under the signatures of the Court Master.

VIKAS MAHAJAN, J

JULY 31, 2025
N.S. ASWAL