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jdt. 24.02.2026
jb.

WPA 3321 of 2026
(Pradeep Kumar Agarwal vs. State of West Bengal & Ors.)

Mr. Ankit Sureka
Mr. Asish Dutta
Mr. Vijay Verma
.... For the Petitioner
Mr. Bikash Goswami
.... For the State

Affidavit of service filed by the petitioner is taken on record.

None appears for the private respondents despite service.

Learned counsel for the petitioner submits that on the basis of a complaint lodged by the 6th respondent alleging that the petitioner cheated him in course of a business transaction dealing in rice, FIR was registered. In course of investigation, the police authority, by a letter issued on 24th April, 2025, requested the Bank to supply the statement of transactions of the account of the petitioner and freeze the said account for the sake of investigation. The petitioner's account was accordingly frozen by an intimation sent to the petitioner by the Bank on 13th May, 2025.

Placing reliance on a judgment delivered by the Co-ordinate Bench of this Court in ***Sanjay Gupta vs. State of West Bengal & Ors.*** reported in **2025 SCC OnLine Cal 10239** learned counsel for the petitioner

submits that the investigating authority has acted beyond jurisdiction in requesting freezing of the petitioner's account under Section 94 of the BNSS without any order of a competent Court of law.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that the investigating officer had no authority to request freezing of the petitioner's bank account under Section 94 of the BNSS. No order has also been produced by the State to indicate that the account was frozen in compliance with an order passed by a competent Court of law. Investigation is in progress. The petitioner undertakes to cooperate in investigation. The issue pertains to a commercial dispute between the petitioner and the 6th respondent.

In the said backdrop, this Court is inclined to hold that the lien on the bank account of the petitioner ought to be lifted at once subject to the petitioner cooperating in investigation.

Accordingly, the Branch Manager, Axis Bank Limited, being the 5th respondent herein, is directed to defreeze the bank account of the petitioner bearing no. 922030033751456 at once.

The petitioner shall cooperate in investigation.

With the above observations and directions, the writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)