



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(118)

CWP-2889-2026

Date of decision:- 27.02.2026

RAJ KUMAR

... Petitioner

Versus

UNION OF INDIA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Shubham Gupta, Advocate
for the petitioner
(through video conferencing).

Mr. Satya Pal Jain, Additional Solicitor General of India
(through video conferencing) with
Ms. Neha Sharma, Senior Counsel-UOI
for respondent No.1.

Mr. Gaurav Geol, Advocate and
Mr. Teginder Singh, Advocate
for respondent No.2-Bank.

SUVIR SEHGAL, J. (ORAL)

1. This petition has been filed, inter alia, for issuance of a writ in the nature of mandamus directing respondent No.2- bank to defreeze petitioner's savings account with Union Bank of India at Geeta Tower, Choppta Bazar, Hansi.

2. Counsel for the petitioner states that petitioner is engaged in sale of



vegetable saplings and maintains a savings account No. 203210100118023 with respondent No.2- bank. He states that account had been frozen on the basis of a communication received from Cyber Crime Police Station, Ernakulam Rural, respondent No.3. Counsel asserts that the freeze has been applied on account of a suspicious transaction on 24.11.2024 of Rs.20,400/-, which was credited to petitioner's account by Balwan Singh, who had purchased saplings. Counsel has made a categoric assertion that there is no allegation of deceit against the petitioner, nor has he been arraigned as an accused in any criminal proceeding pertaining to cyber fraud.

3. Upon instructions from Sunil Kumar, Branch Manager, counsel for respondent No.2- bank states that bank has taken action in compliance with a communication received from a law enforcing agency. Counsel confirms that the total disputed amount is Rs.20,400/-.

4. I have heard counsel for the parties and considered their respective submissions.

5. An investigating agency can freeze a bank account only upon obtaining an order from the jurisdictional Magistrate in terms of Section 107 of BNSS, 2023, as has been held in **Mr. Kartik Yogeshwar Chatur and others Versus Union of India and others, Law Finder Doc Id #2812474**. No such order could be brought to the notice of this Court by counsel for bank.

6. Keeping in view the observations made by a co-ordinate Bench of this Court in CWP-3464-2024 titled as **Jaspreet Singh Versus Union of India and others**, decided on 05.07.2024, writ petition is disposed of with a direction



to respondent No.2- bank to defreeze the savings account No. 203210100118023. Bank will, however, keep a lien of the disputed amount, i.e. Rs.20,400/- and petitioner would be at liberty to utilize the remaining balance amount lying in its account, without prejudice to any other attachment order or any order freezing the account.

(SUVIR SEHGAL)
JUDGE

27.02.2026

parul verma

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No