



CWP-3078-2026

-1-

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

(116)

CWP-3078-2026

Date of decision:- 20.02.2026

Saraj Mohamad

... Petitioner

Versus

Nodal Officer, HDFC Bank (Punjab Region) and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ranjodha Singh Jodha, Advocate and
Mr. Gurjeet Singh, Advocate for the petitioner.

Mr. Nitin Thatai, Advocate and
Ms. Shruti Sharma, Advocate (THROUGH V.C.)
for respondents No.1 and 2-HDFC Bank.

SUVIR SEHGAL, J. (ORAL)

1. This petition has been filed, *inter alia*, for issuance of a writ, in the nature of mandamus, directing respondents to de-freeze petitioner's Current Bank Account maintained at HDFC Bank, Barnala Road, Raikot-II Branch, Punjab – respondent No. 2.
2. Counsel for the petitioner states that petitioner has a Current Bank Account No. 50200084286703 with respondent No.2, which has been blocked in the month of November, 2025. Upon inquiry, petitioner came to know that account has been frozen on the basis of notice received from Tamil Nadu Kancheepuram police station. He has made a categorical assertion that there is no allegation of fraud against the petitioner, nor is he an accused in any criminal matter referred to in the bank's communications.
3. Upon instructions received from Mr. Amit Midha, Branch Manager,



CWP-3078-2026

-2-

Raikot-II Branch, counsel for the respondents No.1 and 2-HDFC Bank states that disputed amount is Rs.49,040/- and bank has taken action on basis of instruction from law enforcement agency. He asserts that the account was frozen due to registration of cyber crime complaint on National Cyber Crime Reporting Portal regarding one disputed transaction.

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

5. An investigation agency can debit freeze or attach 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 ors. Versus Union of India and ors., Law Finder Doc Id # 2812474. No such order could be brought to the notice of the court by counsel for respondents No.1 and 2.

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 to de-freeze Current Bank Account No. 50200084286703. HDFC Bank-respondent No. 2 will, however, making a lien of the disputed amount, i.e., Rs.49,040/-, and petitioner would be at liberty to utilize the remaining balance amount lying in their account, without prejudice to any other order of attaching or for freezing the account.

20.02.2026
Kamal

(SUVIR SEHGAL)
JUDGE

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