



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

(217)

CWP-3220-2026

Date of decision:- 13.02.2026

NEHA NIJHWANA**.... Petitioner****Versus****UNION OF INDIA AND OTHERS****.... Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Nitin Bhasin, Advocate and
Ms. Bharti Bhatia, Advocate
for the petitioner.

Mr. Arvind Seth, Advocate
Senior Panel Counsel
for respondent No.1-UIO.

Ms. Shruti Sharma, Advocate with
Mr. Nitin Thatai, Advocate
for respondent No.2.

1. This petition has been filed, inter alia, for issuance of a writ in the nature of mandamus directing respondent No.2 to de-freeze petitioner's saving bank account maintained at AU Small Finance Bank, Phase 7, Mohali, Punjab.
2. Counsel for the petitioner states that petitioner has a Salary-cum-Saving Bank Account No. 2011238430391783 with respondent No.2, which has been blocked in the month of January, 2026. Upon inquiry, petitioner came to know that account has been frozen on the basis of notices received from Kerala cybercrime cell. Counsel has made a categorical assertion that there is no



allegation of fraud against the petitioner, nor is she an accused in this cyber crime.

3. Upon instructions from Mr. Sanjib Kumar Das, Assistant Vice-President, Legal Recovery Branch, counsel for respondent No. 2 - AU Small Finance Bank Ltd. states that the disputed amount in Salary-cum-Savings Bank Account is Rs. 6,946/-. He asserts that bank has taken action on basis of instructions from law enforcement agency.

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 respondent No. 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 savings Bank Account No. 2011238430391783. Bank- respondent No. 2 will, however, making a lien of the disputed amount, i.e., Rs. 6,946/-, and petitioner would be at liberty to utilize the remaining balance amount lying in her account, without prejudice to any other order of attaching or for freezing the account.



7. Writ petition is disposed of.

(SUVIR SEHGAL)
JUDGE

13.02.2026
parul verma

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