

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

2026:PHHC:027069



(132)

CWP-3464-2026

Date of Decision: 18.02.2026

Kunal Tuteja

--Petitioner

Versus

Union of India & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE SUVIR SEHGAL.

Present:- Mr. Himanshu Chhabra, Advocate for the petitioner.

Mr. Darpan Sachdeva, Advocate for respondents no.2 & 3.

SUVIR SEHGAL.J (Oral)

1. This petition has been filed, inter alia, for issuance of a writ in the nature of mandamus directing respondents no.2 and 3-bank to defreeze petitioner's savings account maintained with HDFC Bank, SCO No.139, Main Market, Sector 21-C, Faridabad.

2. Counsel for the petitioner states that petitioner maintains a saving account No.59199318447052 with respondent no.3-bank. He submits that petitioner was informed that account had been frozen on the basis of a communication received from CEN Crime, Police Station Mysuru, Karnataka-respondent no.4. Counsel asserts that the freeze has been applied on account of suspicious transaction of Rs.4,000/- which was credited to petitioner's account. Counsel has made a categorical assertion that there is no allegation of fraud against the petitioner, nor has the petitioner been named as an accused in criminal proceedings pertaining to cyber fraud.

3. Upon instructions from Mr. Darpan Sachdeva (Personal Banker Authoriser), counsel for respondents no.2 and 3-bank states that the bank has taken action in compliance with a communication received from a law enforcing agency. Counsel has affirmed that total disputed amount involved is Rs.4,000/-.

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 the respondents no.2 and 3.

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 respondents no.2 and 3-bank to defreeze the savings account No.59199318447052. Bank will, however, keep a lien of the disputed amount, i.e. Rs.4,000/- and petitioner would be at liberty to utilize the remaining balance amount lying in his account, without prejudice to any other attachment order or any order freezing the account.

18.02.2026

lucky

(SUVIR SEHGAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No