



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123

CWP-6381-2026

Date of Decision: 08.04.2026

ISHA

...Petitioner

Versus

KOTAK MAHINDRA BANK LTD AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Sankalp Gehlawat, Advocate for petitioner

Mr. S.C. Thatai, Advocate,
Mr. Nitin Thatai, Advocate,
Ms. Monika Thatai, Advocate,
Ms. Shruti Sharma, Advocate and
Mr. Karan Sharma, Advocate
For respondent-KOTAK Mahindra Bank

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking directions to de-freeze her Bank Account maintained with respondent No.1-KOTAK Mahindra Bank.

2. Learned counsel for the petitioner submits that on 04.01.2026, the respondent-Bank had freezed petitioner's account on account of Cyber Notice for Crime No.12/2025 received from respondent No.2. There is no order of Magistrate in terms of Section 107 of Bharatiya Nagarik Suraksha Sanhita ('BNSS'), thus, attachment of account is bad in the eye of law. There is no FIR against her. She is not involved in any criminal activity. The respondent has mechanically attached her account.

3. Learned counsel for respondents submit that Bank has not found any suspicious entry, however, accounts were freezed on the direction



of Law Enforcement Agencies. No amount has been pointed out by Agencies. It is factually correct that petitioner is not implicated in any FIR, however, Bank has freezed her account because they have received instructions from Law Enforcement Agencies. They concede that no civil or criminal proceedings are pending against the petitioner.

4. Heard the arguments and perused the record.

5. From the perusal of record and arguments of both sides, it is evident that no FIR has been registered against the petitioner. No order of attachment under Section 107 of BNSS has been passed by the Magistrate. In such circumstances, claim of petitioner seeking direction to de-freeze her account is just & fair and deserves to be allowed and accordingly allowed. The respondent-Bank is directed to de-freeze her account within 7 days from today.

6. It is made clear that this order shall not legalize any act or omission on the part of petitioner, if at any stage, she is found involved in the commission of any offence or violation of provision of any law in force.

7. Disposed of in above terms.

8. Pending Misc. application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

08.04.2026
SDK

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No