



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

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124

**CWP-6409-2026**

**Date of Decision: 08.04.2026**

SHIVAM GUPTA

...Petitioner

Versus

HDFC BANK 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-HDFC Bank

Mr. Sunil Narang, Advocate  
For respondent No.1

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**JAGMOHAN BANSAL, J. (ORAL)**

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

2. Mr. Sunil Narang, Advocate has appeared and filed memorandum of appearance on behalf of respondent No.1. The same is taken on record. Registry is directed to tag the same at an appropriate place.

3. 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 him. He is not involved in any criminal activity. The respondent has mechanically attached his account.

4. 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 his account because they have received instructions from Law Enforcement Agencies. They concede that no civil or criminal proceedings are pending against the petitioner.

5. Heard the arguments and perused the record.

6. 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 his account is just & fair and deserves to be allowed and accordingly allowed. The respondent-Bank is directed to de-freeze his account within 7 days from today.

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

8. Disposed of in above terms.

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

**(JAGMOHAN BANSAL)**  
**JUDGE**

**08.04.2026**  
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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |