



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

**CWP-12591-2026(O&M)
Date of decision: 19.05.2026**

Sharda Devi

... Petitioner

Versus

Yes Bank and others

... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Dhananjay Singh, Advocate,
for the petitioner.

Mr. D.K. Singal, Advocate, and
Mr. Manav Singal, Advocate, for respondents No.1 & 3.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to de-freeze her bank account maintained with Yes Bank, Panipat.

2. Learned counsel for the petitioner submits that respondent-bank has frozen petitioner's account without notice. As per petitioner's information, the bank has acted upon pursuant to a communication received from the Cyber Economic & Narcotics Crime Police Station, Haveri, Karnataka. She is not named in any FIR relating to financial fraud, if any, committed by unknown persons. There is no order of Magistrate under Section 107 of Bharatiya Nagarik Suraksha Sanhita ('BNSS') with respect to her account.

3. Learned counsel for respondent(s) submits that respondent-Bank has acted pursuant to a communication received from the Cyber



Economic & Narcotics Crime Police Station, Haveri, Karnataka. They have not received any order from Magistrate. They have no knowledge about involvement of petitioner in the commission of offence which prompted authorities to take impugned action.

4. Heard the parties and perused the record.
5. Kerala High Court in ***Headstar Global Pvt. Ltd. v. State of Kerela, 2025 SCC OnLine Ker 3546*** has held that freezing of bank accounts must be proportionate, reasoned, and supported by material indicating the account holder's involvement in the alleged offence. Bank account under Section 106 of BNSS cannot be attached. The Hon'ble Supreme Court has dismissed SLP being *SLP (Cri.) No.13433/2025* filed against aforesaid judgment.
6. Bombay High Court in ***Kartik Yogeshwar Chatur v. Union of India, 2025 SCC OnLine Bom 4778*** has held that an Investigating Agency has no power to debit freeze or attach a bank account under Section 106 of the BNSS, and that any such action can be taken only in accordance with Section 107 of the BNSS upon orders of the competent Magistrate.
7. Delhi High Court in ***Neelkanth Pharma Logistics (P) Ltd. v. Union of India, 2025 SCC OnLine Del 1055*** has observed that freezing of an entire bank account merely on account of a small and identifiable amount alleged to be proceeds of cyber fraud having been credited therein, is a disproportionate and arbitrary exercise of power, particularly when the account holder is neither an accused nor even a suspect in the offence under investigation. The Court emphasized that such blanket freezing, without recording or communicating any reasons, results in grave



civil and financial consequences, including disruption of business operations, dishonour of cheques and severe hardship, and directly impinges upon the right to livelihood. Innocent and unwary account holders cannot be made to suffer merely because proceeds of crime may have temporarily passed through their accounts, unless investigation reveals their complicity or conscious receipt of such funds.

8. 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. Claim of petitioner is genuine and deserves to be allowed. Accordingly, respondent-Bank is directed to de-freeze petitioner's account within one week from today.

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

10. Disposed of in above terms.

11. Pending application(s), if any, also stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

May 19, 2026

Rajan

Whether speaking / reasoned:

Yes/No

Whether Reportable:

Yes/No