



CWP-20040-2025

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

110-3.

CWP-20040-2025

Date of decision:21.01.2026

**MM SHOPPE THROUGH ITS PROP. GURINDERJIT SINGH BAWA
...PETITIONER**

VERSUS

UNION OF INDIA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Ms. Prabhneer Swani, Advocate and
Mr. Shubhkarman S. Gill, Advocate
for the petitioner.

Mr. Tapan Masta, Senior Panel Counsel, with
Mr. Anirudh Kaushal, Advocate
for respondent No.1-UOI.

Mr. A.P.S. Sehgal, Advocate
for respondent No.2-HDFC Bank.

Mr. Nitin Jain, Advocate and
Mr. Khushan Dutta, Advocate
for respondent No.4-RBI.

SUVIR SEHGAL, J.

1. Mr. Ajay Partap Sehgal, Advocate has put in appearance on
behalf of respondent No.2-bank and has filed Vakalatnama, which is taken
on record.



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2. This petition has been filed, *inter alia*, for issuance of a writ in the nature of mandamus directing respondent No.2 – bank to defreeze petitioner’s current account maintained at HDFC Bank, Vatika First India Place, MG Road, Gurugram.

3. Counsel for the petitioner states that the petitioner is a proprietorship firm which deals in mattresses and maintains Current Account No.02802020000758 with respondent No.2-bank. He submits that on 28.03.2025 a payment of Rs.93,743/- was credited to the current account pursuant to two sale transactions. Counsel submits that on 22.05.2025 petitioner came to know that he was unable to operate the said account and was verbally informed that the account had been debit-frozen due to an ongoing cyber-crime investigation. He 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 any criminal proceeding.

4. Upon instructions, counsel for respondent No.2 – bank states that the total disputed amount involved is Rs.93,743/- and that freeze was applied based on information received from the Cyber Assistance Cell, Bolpur, West Bengal, respondent No.3.

5. I have heard counsel for the parties and considered their respective submissions.

6. An investigating agency can debit freeze or attach a bank account upon obtaining an order from the jurisdictional Magistrate under Section 107 of BNSS, 2023, as has been held in **Mr. Kartik Yogeshwar**



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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 respondent No.2.

7. 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-bank to defreeze Current Account No.02802020000758. Bank will, however, keep a lien of the disputed amounts, i.e. Rs.93,743/-, and petitioner would be at liberty to utilize the remaining balance amount lying in its account, without prejudice to any other attachment order or any order for freezing the account.

21.01.2026

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(SUVIR SEHGAL)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No