



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-23404-2025
Date of decision:-20.01.2026

Tarsem Chand and another

...Petitioners

Versus

The Chief Manager, State Bank of India and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Ajay Pal Singh, Advocate
for the petitioners (THROUGH V.C.).

Mr. Sumit Narang, Advocate
for respondents No.1 and 2.

Mr. Indresh Goel, Advocate
for respondents No.3 and 4.

Mr. Kanav Singla, AAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

1. This petition has been filed, *inter alia*, for issuance of a writ in the nature of mandamus directing respondent to de-freeze petitioner's Current Account maintained at State Bank of India, Mundi Kharar Branch, Kharar, SAS Nagar, Mohali – respondent No. 1.
2. Counsel for the petitioner states that petitioner No.2 is a



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partnership firm and is running liquor vends. It has a Current Bank Account No. 42906572514 with State Bank of India (SBI) - respondent No.1, which has been blocked in the month of August 2025. Upon inquiry, petitioners came to know that on the basis of notices received from Gujrat cyber cell authorities, account of the petitioner has been frozen. Counsel has made a categorical assertion there is no allegation of fraud against petitioners, nor are they an accused in any criminal matter referred to in communications received by bank.

3. Upon instructions, counsel for SBI states that the disputed amount is Rs. 1,530/- and bank has taken action on basis of instructions from law enforcement agency. As short reply has been filed on behalf of respondents No.5 to 7 by way of affidavit of DSP, Headquarter, Mansa, stating that there is no objection to de-freezing. It has been deposed that there are 18 more complaints registered against the said bank account in police stations of different districts across various States in India.

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

5. An investigating agency can debit freeze or attach 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 ors. Versus Union of India and ors., Law Finder Doc Id # 2812474**, No such order could be brought to the notice of the court by counsel for SBI.

6. Keeping in view the observations made by a co-ordinate Bench of this Court in CWP-3464-2024, titled as **Jaspreet Singh Versus**

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Union of India and others, decided on 05.07.2024, writ petition is disposed of with a direction to respondent No.1 to de-freeze Current Bank Account No. 42906572514. Bank- respondent No.1 will, however, make a lien of the disputed amount, i.e., Rs. 1,530/-, and petitioner would be at liberty to utilize the remaining balance amount lying in his account, without prejudice to any other order of attaching or any order for freezing the account.

20.01.2026
Brij

(SUVIR SEHGAL)
JUDGE

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