



CWP-29979-2024

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

(109)

CWP-29979-2024

Date of decision:- 09.03.2026

Randhir Kumar**... Petitioner****Versus****Reserve Bank of India and others****... Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Ishaan, Advocate for
Mr. Karan Bhardwaj, Advocate
for the petitioner.

Mr. Indresh Goel, Advocate
for respondents No.1 and 2-RBI.

Mr. Siddharth Sandhu, Assistant Advocate General, Punjab
for respondent No.3.

Mr. A.P.S.Shergill, Advocate
for respondents No.6 and 7-HDFC Bank.

Mr. Samarth Suri, Advocate for
Mr. Sandeep Suri, Advocate
for respondents No.8 and 9-Axis Bank.

SUVIR SEHGAL, J. (ORAL)

- 1) This petition has been filed, *inter alia*, for issuance of a writ in the nature of mandamus, directing respondents Nos. 6 to 9 to de-freeze petitioner's Savings Bank Accounts maintained at HDFC Bank and Axis Bank, East Mohan Nagar, Amritsar – respondents No. 6 and 9, respectively.
- 2) Counsel for the petitioner states that petitioner, who is working as a Constable with Punjab Police, is a victim of cyber fraud. He has a Saving's

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Bank Accounts bearing Account No.50100174278768 with HDFC Bank and 923010004091386 with Axis Bank, which have been blocked. Upon inquiry, petitioner came to know that on the basis of cyber crime complaints received by Maharashtra and Kerala cyber crime Police Stations, both the accounts of the petitioner have been frozen. He has made a categorical assertion that there is no allegation of deceit against petitioner, nor is he an accused in any criminal matter pertaining to cyber fraud.

3) Upon instructions, Mr. Kapil Chawla, PB Authorizer, counsel for respondents No. 6 and 7, i.e., HDFC Bank, states that disputed amount is Rs. 36,736/- and bank has taken action on basis of instructions from a law enforcement agency. He has placed on record notices, dated 29-06-2024 and 31.05.2024, from Maharashtra and Kerala cyber crime authorities to assert that account was frozen due to registration of internet bank related fraud regarding one disputed transaction.

4) Upon instructions, Mr. Yatin, Legal officer, counsel for respondents No. 8 and 9, i.e., Axis Bank, states that petitioner's bank account has been frozen on intimation of cyber crime authorities and points out that disputed amount is Rs.24,500/-.

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

6) Entire bank account cannot be frozen on account of two or three disputed transactions. An investigation agency can freeze 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**



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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 respondents.

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 respondents No. 6 and 9 to de-freeze Saving’s Bank Accounts bearing Account No.50100174278768 with HDFC Bank and 923010004091386 with Axis Bank, by keeping a lien of disputed amounts, i.e., Rs. 36,736/- and Rs.24,500/-, respectively. Petitioner would be at liberty to utilize the remaining balance amount lying in his accounts, without prejudice to any other order of attaching or for freezing the accounts.

(SUVIR SEHGAL)
JUDGE

09.03.2026
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No