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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 1131/2026

SALEEM AHMED

.....Petitioner

Through: Mr. Praful Nawani, Adv.

versus

UNION OF INDIA & ORS.

.....Respondent

Through: Mr. Brijesh Kumar Tamber CGSC with Mr. Vinay Singh Bist, Ms. Arani Mukherjee, Mr. Yashu Rustagi Advocates for R1

Adv. Akshay Gola for R3

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

O R D E R

% **11.03.2026**

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

"a) Issue a writ of mandamus or any other writ, order or direction to the Respondent No. 2 to remove the 'No-Debit freeze' and forthwith release the bank account of the Petitioner, without any further restrictions;

b) Issue a writ of mandamus or any other writ, order or direction to the Respondent No.2 and Respondent No. 3 to provide a copy of the complaint based upon which the complete freeze was imposed on the bank account of the Petitioner;

c) In the alternative, direct Respondent No. 3 to mark a lien *only to the extent of the specific disputed amount and release the remaining balance for the Petitioner's medical treatment;*

d) Issue a Writ of Certiorari quashing the instructions issued by Respondent No. 2 (J&K Police) directing the debit freeze of the Petitioner's account, as being violative of Sections 106/107 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

e) Direct Respondent No. 1 to produce the report submitted to the Magistrate under Section 106(3) BNSS, if any, and explain the delay of 18 months in the investigation; . . .”

2. Mr. Nawani, learned counsel for the petitioner, states that the petitioner is the owner of a small-scale eatery business / *dhaba* at E-39/1A, Main Road, 3rd Pushta, Jagjeet Nagar Garhi, Main, North East District and is compliant with all licenses and also has a valid health trade license issued from the MCD.

3. The only account of the petitioner i.e. A/c No. 158800817816 was put under no-debit freeze. The order was a blanket order covering the entire balance which is about Rs. 3,10,000/-.

4. Since the account of the petitioner is under no-debit freeze till today, the present petition has been filed.

5. Mr. Nawani, learned counsel draws my attention to the affidavit of the respondent No.3 and more particularly paragraphs 2 and 3 which read as under:-

“2. It is submitted that the Petitioner is holding an Account bearing number 158800817816 with Respondent No. 03 i.e. IndusInd Bank Ltd. at Sadar Bazar Branch, Delhi. It is submitted that Respondent Bank received a request from

Jammu & Kashmir Baramulla Police Station vide Acknowledgment no. 21407240004845 on NCRP Portal for freezing the account of the petitioner. It is further submitted that Answering Respondent had also received request from Maharashtra Brihan Mumbai City Shahu Nagar on NCRP Portal vide Acknowledgement No. 21907240063702 for freezing of the account. It is stated that acting upon the notice received from Respondent No. 02 and Maharashtra Brihan Mumbai City Shahu Nagar Police Station, Answering Respondent Bank has mark freeze the said account of the Petitioner. Screenshot of NCRP Portal reflecting the Notice received from Jammu & Kashmir Baramulla Police Station and Maharashtra Brihan Mumbai City Shahu Nagar Police Station is annexed herewith as Annexure-B (Colly).

3. That the Answering Respondent Bank respectfully states that it has, on multiple occasions, communicated, to the Petitioner that the Petitioner's account has been marked freeze strictly in accordance with the directions received from Respondent No. 02 and Maharashtra Brihan Mumbai City Shahu Nagar Police Station. The Answering Respondent has neither initiated such action on its own nor has any discretion to unilaterally reverse it. The account in question can be unfreeze only if the Petitioner obtains No Objection Certificate ("NOC") from concerned competent authority. It is submitted that the Answering rcspondent is merely acting in compliance with the notice issued by the Authorities and has no independent role in *the underlying matter."*

6. He also draws my attention to the instructions received from the respondent No.2 and Maharashtra Brihan Mumbai Shahu Nagar which are also reproduced as under:-

Acknowledgement No.	21507240063702
Category of Complaint	UPI Related Frauds
Complaint Date	04/07/2024
State /District /Police Station	MAHARASHTRA BRIHAN MUMBAI CITY SHAHU NAGAR
Complaint currently with Police Station:	
Name	Pandurang Rane
Designation	Police Sub-Inspector (SI)
Mobile	8888192135
Email	ps.shahunagar.mum@mahapolice.gov.in

Complaint Additional Info : I met this user through telegram app user name as Sunnyboradiofficial in the name of selling cheap products so I ordered he phone for 2000rs for which he said to pay 500 advance and balance after ordering the product he had shared me to video of ordering with order number the next he asked me to pay the balance amt of 1500 which he took twice. The next day he asked for 400Rs to share the delivery details then when I asked him to can the order he said he will refund 75percent of the amt only that too after 2to3 days he asked to pay final payment of 4K which I had to pay. Then again he asked me 3100 for delivery I was fed up but had to pay as he said the delivery boy is near by location I paid that again after sometime he asked for 2500 as he had to pay his senior as he had hold the delivery boy that I paid in two parts 1000 plus 1500 then again he tortured me to pay 1000 I said I had only 700 rs still he took that. But the delivery guy never came. The next day he again msg me that I havent paid the full amt thats why the delivery didnt happen. Fed up him I asked to refund the money or I will file an FIR he said he needs time to repay so waited till 3rd july but since he didnt pay today also I had to report today. Please help me getting this money I am even able to because of this. I have attached his photo, aadhar card, bank details, video of ordering, screenshot of his ordering.

Fraudulent Transaction Details

Total Fraudulent Amount reported by complainant : 13800

This Color denotes action has been taken on this transaction :

S. No.	Bank (Wallet/PG/PA)/ Merchant/ Insurance	Account No./ (Wallet/PG/PA) Id	Transaction Id / UTR Number	Amount	Reference No.	Transaction Date	Complaint Date	Remarks	Complaint Reported By State	Complaint Fro
1	**Account Credited to : IndusInd Bank**	158800817816 Layer : 5 Reported in Multiple : Transactions : 2 times Complaints : 1 times	AXNPN18461398701	Transaction : 12897.51 Disputed : 1350		02/07/2024 00:00:AM	04/07/2024 15:09:PM	This is a settlement transaction towards a merchant account	MAHARASHTRA	: Mahmood :mahmood e.com : PhonePe Date :05/07
2	**Account Credited to : IndusInd Bank**	158800817816 Layer : 5 Reported in Multiple : Transactions : 2 times Complaints : 1 times	AXNPN18240895333	Transaction : 12819.35 Disputed : 1850		30/06/2024 00:00.AM	04/07/2024 15:09:PM	This is a settlement transaction towards a merchant account	MAHARASHTRA	: Mahmood :mahmood e.com : PhonePe Date :05/07

View Complete Trail

Acknowledgement No.	31407240004845
Category of Complaint	UPI Related Frauds
Complaint Date	17/07/2024
State /District /Police Station	JAMMU & KASHMIR BARAMULLA BARAMULLA

Complaint currently with Police Station:

Name

Designation

Mobile

Email

Complaint Additional Info : person took money promised to deliver but did not also asked for refund in which making excuses as he is scammor confirmed from many people asking for one payment after another never giving back only taking

Fraudulent Transaction Details

Total Fraudulent Amount reported by complainant : 82203

This Color denotes action has been taken on this transaction :

S No.	Bank (Wallet/PG/PA)/ Merchant/ Insurance	Account No./ (Wallet/PG/PA) Id	Transaction Id / UTR Number	Amount	Reference No.	Transaction Date	Complaint Date	Remarks	Complaint Reported By State	Complaint to Fraud ID
1	Account Credited to : IndusInd Bank	201009080950 Layer : 5 Reported in Multiple : Transactions : 1 times Complaints : 1 times	AXNPM15144847859	Transaction : 6405 Disputed : 170		30/05/2024 00:00:AM	17/07/2024 00:59:AM	The disputed amount was moved to mentioned Bank, Please take the necessary action. For further information, we request you to please write us back on cybercell@paytmpayments.com we shall be glad to assist you.	JAMMU & KASHMIR	: Virendra Kuma :virendra1.kuma paytmpayments.com : Paytm Date :18/07/2024
2	Account Credited to : IndusInd Bank	15880C817816 Layer : 5 Reported in Multiple : Transactions : 1 times Complaints : 1 times	AXNPN16510416497	Transaction : 14063.55 Disputed : 130		17/06/2024 00:00:AM	17/07/2024 00:59:AM	This is a settlement transaction towards a merchant account	JAMMU & KASHMIR	: Shamim Khan .khan.shamim@p ors : PhonePe Date :18/07/2024

View Complete Trail

7. A perusal of the instructions received from Maharashtra Brihan Mumbai City shows that the disputed amount vis-à-vis the petitioner is only Rs. 3200/- and by the respondent No.2 is only Rs. 130/-.

8. My attention has also been drawn to the order dated 13.01.2026 in W.P.(C) 19137/2025 titled as ***"Yadhuvir Singh Manhas vs. Kotak Mahindra Bank and Ors."*** and more particularly to the paragraphs 6, 8, 10, 11 and 12 which read as under:-

> *"6. Learned counsel for the petitioner has placed reliance on the decision of the Coordinate Bench in **Pawan Kumar Rai v. Union of India & Ors. (2024) SCC OnLine Del 8936** and more particularly on paragraphs 24 to 27 which read as under:-*
>
> > *"**24.** The petitioner is a small-scale vendor, engaged in sale of food items and dependent on his daily earnings to sustain his family.*
> >
> > ***25.** Indubitably, passing of an order of freezing the entire bank account of the petitioner has a serious and adverse implication and invades and encroaches upon his invaluable right to earn and live with dignity. The impugned action, in essence, amounts to a violation of fundamental right of the petitioner, as it directly undermines his right to livelihood, which is integral part of the Right to Life guaranteed under Article 21 of the Constitution.*
> >
> > ***26.** Furthermore, when the Investigating Agency has identified a specific sum credited to the bank account of the petitioner, it is difficult to comprehend as to why the entire bank account of petitioner has been freezed.*
> >
> > ***27.** Thus, the continued freezing of the entire bank*

account of the petitioner, without even hinting that the petitioner was either mastermind or accomplice in the cybercrime or knowingly received the funds as part of any illegal activity will not be justifiable and sustainable, at the moment."

. . . .

8. The power to freeze a bank account, though undoubtedly available, is a drastic one and must, therefore, be exercised with due application of mind and for cogent reasons, which ought to be reflected, at least briefly, in the communication directing such freezing. Any other approach would be antithetical to the principles of fairness and reasonableness that are ingrained in our Constitution. Merely because the respondent No.1 has some apprehensions of mismatch will not be a reason to put a freeze on the petitioner's account.

. . . .

10. At this juncture it is also important to refer to the following observations passed in ***Neelkanth Pharma Logistics (P) Ltd. v. Union of India, 2025 SCC OnLine Del 1055.***

> ***"14.*** *Investigating Agency is fully empowered to conduct investigation, and can also, under appropriate circumstances, send request to the concerned bank, directing freezing of the entire account.*
>
> ***15.*** *However, when it resorts to above, it must assign reasons.*
>
> ***16.*** *Such discretion vests with investigating agency, its better left to them to decide as to when such blanket freezing needs to be ordered. However, once it chooses to do so, it must offer some justification. Such blanket measure, if taken recourse to, without*

offering any reason, can certainly play havoc with the financial concerns of such account holders. In relation to small-time vendors, it can disrupt prospects of their mere existence, even. It is not difficult to imagine that any such action can put their lives in a complete disarray.

17. *Therefore, possibility of marking a lien on disputed amount, whenever it is identifiable, should be explored as a more appropriate interim measure. Ideally, it should be the first and foremost option. This would, naturally, mitigate the undue hardship being caused on account of blanket freezing of account and would also ensure that the alleged cheated money remains secured and intact.*

…

22. *In light of the frequent filing of such matters concerning blanket freezing of the accounts, this Court feels that Ministry of Home Affairs, Government of India should take proactive steps to address the same. It may consider consulting all concerned stakeholders, including respective States/UTs and then, with consensus of everyone, to chalk-out a uniform policy, standard operating procedures and guidelines to ensure that such matters are handled with requisite consideration and compassion. The aim should be to balance the rights of a complainant in any such criminal investigation vis-a-vis the right of innocent and unwary account-holder, made to face unwarranted hardship on account of blanket freezing of account, despite being completely innocent and unaware of commission of any crime.”*

11. In view of the above, the petition is allowed and the freeze instructions impugned herein, insofar as they operate as a blanket freeze on the petitioner's entire savings account, are set aside. Respondent No. 1 is directed to defreeze the petitioner's Savings Account No. 7345482270, subject to the condition that the following sums amounting to 1,63,185.81 on which lien has been created by Respondent No. 1 subject to receiving notices from various police authorities as enumerated below, shall remain under lien/hold. The lien on amount for which no reasons have been provided shall not be put on hold.

(i) *Bihar (Munger/Dharhara)**:** ₹ 38,186.82*

(ii) *Tamil Nadu (Kancheepuram)**:** ₹ 35,000.00*

(iii) *Haryana (Kaithal)**:** ₹ 40,000.00*

(iv) *Delhi (Outer North District)**:** ₹ 49,999.00*

*Subtotal of explained liens**:** ₹ 1,63,185.82*

(v) *Additional unexplained lien**:** approximately ₹ 8,209.81*

(vi) *Total hold / lien as per bank statement (30.11.2025)**:** ₹ 1,71,395.63*

12. The petitioner shall be permitted to freely operate the remaining balance in the said account. It is clarified that this order shall not preclude the investigating agencies from taking recourse to such remedies as may be available to them in accordance with law."

9. Since the disputed amount comes to only Rs. 3330/-, it is directed that there shall be a debit freeze on the said amount only.

10. The petitioner shall be permitted to freely operate the remaining balance in his bank account No. 158800817816 maintained with the

respondent No.3.

11. With these directions, the petition is allowed and disposed of.

JASMEET SINGH, J

MARCH 11, 2026 / (MS)