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

+ **W.P.(C) 2209/2025 and CM APPL. 10388/2025**

V JAYARAMAN AND ANR

.....Petitioner

Through: Mr. Anant Gautam, Mr. Vibhu Sharma, Mr. Aman Gahlot, Mr. Rishi Chauhan, Advocates.

versus

UNION OF INDIA AND ORS

.....Respondent

Through: Mr. Amit Tiwari, CGSC, Ms. Ayushi Srivastava, ADV Mr. Ayush Tanwar, Adv, Mr. Arpan Narwal, Adv, Mr. Kushagra Malik, Adv, Mr. Ujjwal Tyagi, Advocates for UOI.
Mr Anil Mittal and Mr Shaurya Mittal
Advocates for R-8.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **05.05.2026**

1. The petition is for the following reliefs:

*“a. Issue a Writ, Order or Direction in the nature of a Mandamus or any other appropriate Writ, Order or Direction directing the Respondents herein to de-freeze and I or unblock the account no. 02491000006409, 50100712606368 in the name of the Petitioner herein and account no. 02492560000011 in the name of M/s Exotique Expedition Pvt. Ltd.; and
b. Issue a Writ, Order or Direction in the nature of a Mandamus or any other appropriate Writ, Order or Direction directing the Respondents herein to permit the Petitioner(s) herein to operate account no. 02491000006409, 50100712606368 in the name of the Petitioner herein and account no. 02492560000011 in the name of M/s Exotique Expedition*



Pvt. Ltd.; and

c. Issue a Writ, Order or Direction in the nature of a Certiorari or any other appropriate Writ, Order or Direction quashing and setting aside the order I communications I notices issued by the Respondents directing freezing I blocking of the account no. 02491000006409, 50100712606368 in the name of the Petitioner herein and account no. 02492560000011 in the name of M/s Exotique Expedition Pvt. Ltd.; and

d. Issue a Writ, Order or direction calling for the records relating to freezing I blocking of the account no. 02491000006409, 50100712606368 in the name of the Petitioner herein and account no. 02492560000011 in the name of M/s Exotique Expedition Pvt. Ltd.;"

2. It appears that the Bank Accounts of the petitioners maintained with respondent no.3 – HDFC Bank, was freezed pursuant to the directions issued by respondent no. 8 i.e. Commissionerate, Gautam Buddha Nagar. Learned counsel for respondent no.8 justifies the said action on the basis of the complaint having been received by the said agency.

3. The Court, however, on perusal of the short affidavit filed by respondent no.8 finds that there is no criminal cases registered against the petitioners. Learned counsel for the petitioner further submits that till date, he has neither been summoned nor he is being enquired into with respect to any of the criminal investigation. However, it is submitted that all the respondents have not filed their affidavit.

4. The Court, thus, finds that this indefinite freezing of the petitioners' Bank Accounts, without contemplating any inquiry or investigation will be impermissible in law. This position has been taken by the Court in the case of ***Malabar Gold and Diamond Limited & Ors. v. Union of India & Ors***¹, wherein the Court has held as under:

"19. In light of these provisions, it is also pertinent to note that any blanket or disproportionate freezing of bank accounts, particularly where the account holder is neither an accused nor even a suspect in the offence

¹ .passed in W.P.(C) 4198/2025 dated 16.01.2025



under investigation, is manifestly arbitrary, and in the teeth of the fundamental rights under Article 19(1)(g) and 21 and of the Constitution of India, which encompass the right to livelihood and freedom to carry on trade and business. Such indiscriminate debit freezing, without any finding of complicity, has the inevitable effect of paralysing the day-to-day business operations of an otherwise innocent entity, resulting in loss of commercial goodwill and financial consequences, thereby subjecting a non-complicit account holder to punitive consequences.

5. It is, thus, seen that there cannot be a blanket or disproportionate freezing of bank accounts particularly where the account holder is neither an accused, nor a suspect in the offence under investigation. Till date, the petitioner's complicity has not surfaced in any of the cases.

6. For all the aforesaid reasons, the freezing of the petitioners' Bank Accounts bearing nos. 02491000006409, 50100712606368 in the name of the Petitioner no. 1 and account no. 02492560000011 in the name of M/s Exotique Expedition Pvt. Ltd. i.e. the petitioner no. 2, is directed to be lifted, immediately.

7. If the Investigating Agency finds any material against the petitioner, the investigation is permitted to be carried out. The respondents shall also be at liberty to take the fresh decision for freezing of the petitioners' accounts, if the same is permissible in law. The petitioner undertakes to cooperate with the Investigating Agency, if any investigation is carried out.

8. With the aforesaid directions, the petition, along with pending application, stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

MAY 5, 2026

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