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

+ **W.P.(C) 4433/2026**

SHIVAM SHARMA

.....Petitioner

Through: Ms. Palak Sirohi, Mr. Deepak Singh
Antil, Advs.

versus

KOTAK MAHINDRA BANK THROUGH ITS AUTHORIZED

OFFICER & ORS.

.....Respondents

Through: Mr. Ateev Mathur, Mr. Amol Sharma
Advs. for R-1
Mr. Neeraj Kumar, CGSC with Mr.
Vivek Nagar, G.P for R-2/ UOI

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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16.04.2026

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 appropriate writ, order or direction directing Respondent No.1 - Kotak Mahindra Bank Limited to forthwith defreeze the Petitioner's Savings Bank Account No. 3346863377 and permit full operation thereof;

b) Declare that the blanket freezing of the Petitioner's entire bank account, despite identification and remittance of the alleged disputed amount of Rs. 25,000/-, is arbitrary, disproportionate, illegal and violative of Article 21 of the Constitution of India;



- c) Direct that, if at all any further action is required in relation to the alleged transaction, the same shall be restricted only to a specific and identifiable amount by way of a limited lien, and not by freezing the entire bank account of the Petitioner;*
- d) Award costs of the present writ petition in favour of the Petitioner; and...”*
2. The case of the petitioner is that the petitioner is in the business of promoting brands, which pay him through banking channels. The petitioner has a savings bank account bearing No. 3346863377 with respondent No. 1 i.e., Kotak Mahindra Bank Limited, Branch at Mahila Colony, Gandhi Nagar, New Delhi - 110031.
 3. A cybercrime complaint was registered at Cyber Crime Police Station, Bharuch City, Gujarat, against some unknown accused persons and the petitioner was neither an accuse nor suspect in the said complaint. During investigation, one transaction of Rs. 25,000/-, credited to petitioner's account was identified as disputed, which the petitioner received in course of his business.
 4. On directions of the learned Chief Judicial Magistrate, Bharuch, respondent No. 3 directed respondent No. 1 to remit the disputed amount of Rs. 25,000/- to complainant's account. In pursuance thereof, respondent No. 1, vide notice dated 14.05.2024 intimated petitioner that the disputed amount of Rs. 25,000/- had been remitted to complainant's account.
 5. Despite the same, respondent No. 1 continues to operate blanket freeze on the petitioner's bank account. Hence, the present petition.



6. The learned counsel appearing for respondent No. 1, states that there is no other transaction except for Rs. 25,000/-, which is borne out of the order dated 09.03.2024 passed by the learned Chief Judicial Magistrate, Bharuch.
7. In view of the above, it is directed the bank account of the petitioner bearing No. 3346863377 with respondent No. 1 i.e., Kotak Mahindra Bank Limited, Branch at Mahila Colony, Gandhi Nagar, New Delhi - 110031, shall be made operative, in case there is no other lien from any other enforcement agency.
8. The present petition is disposed of in aforesaid terms.

JASMEET SINGH, J

APRIL 16, 2026/sp