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

\+ **W.P.(C) 5445/2026**

MR PRASHANT KADAM .....Petitioner

Through: Mr. Taksh Suri, Mr. Abhijeet Singh, Advs.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mrs. S. S. Surana (CGSC), Mr. Faisal Ishtiaque, Mr. Akhil Tomar, Mr. Sarthak Rana, Advs. for R-1 to 6.
Mr. Divyanshu Bhandari, Mr. Ankit Gupta, Advs. for R-7.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

O R D E R

% **13.05.2026**

1. The petition is for seeking directions to respondent no. 7 namely, Bank of Baroda to defreeze the petitioner's account.

2. The petitioner's account has been frozen pursuant to the filing of complaint against the petition by one Mr. Govind Amrit on 05.04.2022 at Nawada Police Station in Bihar, alleging UPI fraud. The complaint was registered also at Cyber Police Station, New Delhi.

3. Learned counsel for the petitioner has drawn the attention of the Court to Annexure P-4, which unequivocally reflects the status of the complaint as withdrawn.

4. The Bank of Baroda takes the position that unless the police department sends a communication for lifting of the lien, it is unable to take any action.

5. 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 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.*

6. 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.

7. For all the aforesaid reasons, the freezing of the petitioners' Bank Account bearing no. 00970100034011, is directed to be lifted, immediately. If the Investigating Agency finds any material against the petitioner, the investigation is permitted to be carried out.

8. 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.

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

PURUSHAINDRA KUMAR KAURAV, J

MAY 13, 2026
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[1] .passed in W.P.(C) 4198/2025 dated 16.01.2025