



\$~39

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

+ W.P.(C) 15131/2023, CM APPL. 60474/2023, CM APPL.
60478/2023 & CM APPL. 26869/2026

AMIT KUMAR

.....Petitioner

Through: Ms. Shivani Verma, Ms. Kavita Barla
and Mr. Kamlesh Kumar Mishra,
Advs.

versus

AXIS BANK AND ORS

.....Respondents

Through: Mr. LR Goyal and Mr Hrithik Goyal,
Advs. for R-1.
Mr. Anubhav Gupta, Panel Counsel (Civil) / GNCTD.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **23.04.2026**

1. The instant petition is for directions to the respondents to defreeze the petitioner's account bearing No. 922020025161682 with respondent no. 1- bank.
2. Learned counsel appearing on behalf of the bank submits that on account of various communications received from the respective investigating agencies, the account of the petitioner was frozen. Despite various opportunities, the investigating agencies are not forthcoming to justify their communications.
3. Learned counsel for the petitioner submits that, till date, no offence has been registered by any of the investigating agencies against him. His



complicity has not been shown. The Court, thus, finds that without there being any justification, continued freezing would impede the fundamental rights of the petitioner. The same is the position taken by this Court in the case of ***Malabar Gold and Diamond Limited vs. Union of India***,¹ paragraph no. 19 has held as under:

“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.”

4. In view of the aforesaid, the Court finds that the impugned freezing action of the respondent will have to be lifted. Accordingly, the same is directed to be lifted with the immediate effect.

5. The investigating agencies shall be at liberty to carry out investigation, if any, and in case the petitioner's complicity is found, then they shall be entitled to take appropriate action in accordance with the law. The petitioner undertakes to cooperate with the investigation.

6. With the aforesaid observations, the instant petition along with pending applications stands disposed of.

7. *Dasti.*

PURUSHAINDR KUMAR KAURAV, J

APRIL 23, 2026/SH

¹ W.P.(C) 4198/2025 order dated 16.01.2026