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

+ W.P.(CRL) 3357/2025

RAKESH KUMAR PANDEY

.....Petitioner

Through: Ms. Payal Bahl, Mr. Himanshu Tomar,
Mr. Abhijit Mishra, Mr. Vikhyat
Gupta, Mr. Prashant Jaiswal and Mr.
Ram P. Kumar, Advocates.

versus

STATE GNCT OF DELHI AND ORS

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC for the
State.
SI Saavi, P.S. Cyber, Dwarka.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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22.05.2026

CRL.M.A. 16647/2026

By way of the present application filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner seeks advancement of the date of hearing in the matter, which is otherwise posted on 13.08.2026.

2. For the reasons stated in the application, which are duly supported by affidavit, the application is allowed.
3. The matter is taken-up for hearing today.
4. The application stands disposed-of.

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5. By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of the BNSS, the petitioner



inter alia seeks a direction to the respondents for de-freezing of his bank account.

6. Notice on this petition was issued *vidé* order dated on 14.10.2025.
7. Status Report dated 03.12.2025 has been filed in the matter.
8. Learned counsel appearing for the petitioner submits, that as can be seen from para 6 of the status report, the State has confirmed that they have no-objection if the 'debit freeze' on the petitioner's bank account at IDFC First Bank is revoked *provided* the "*cheated amount remains under lien till the petitioner is able to explain that the said amount is not a proceed of crime*".
9. Learned counsel further points-out, that as would be seen from para 3 of the status report, the allegation against the petitioner is that as per the money trail traced, out of the alleged cheated amount, 02 transactions of Rs. 5000.00 and Rs. 1168.07 were credited into the petitioner's bank account bearing No. 10082644151 maintained at the IDFC First Bank, Noida-16 Branch, Gautam Budh Nagar, Uttar Pradesh.
10. Learned counsel submits, that the bank account in question is the petitioner's primary salary account; and in view of the debit-freeze, the petitioner is unable to even pay the school fees of his children.
11. Mr. Sanjeev Bhandari, learned ASC for the State submits, that in view of the stand taken by respondent No.1 and Nos.2 in their status report, they do not object to the debit freeze on the petitioner's account being lifted, provided a lien is retained over the alleged cheated amount.
12. In view of the above submissions, especially the no-objection given on behalf of the State, the present petition is allowed.



13. Respondent No.3/IDFC First Bank, NOIDA-16 Branch, District Gautam Budh Nagar, Uttar Pradesh is directed to lift the 'debit-freeze' on the petitioner's bank account bearing No. 10082644151 *except to the extent* of Rs. 5000.00 and Rs. 1168.07 *i.e.*, a total of Rs. 6168.07, being the alleged cheated amount.
14. The petition is disposed-of in the above terms.
15. Pending applications, if any, also stand disposed-of.
16. The date of 13.08.2026 given earlier stands cancelled.

ANUP JAIRAM BHAMBHANI, J

MAY 22, 2026

V.Rawat