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

+ **W.P.(C) 18413/2025**

VIRENDER KUMAR TYAGI

.....Petitioner

Through: Vikrant Dabas, Monesh Sharma,
Rekha Kashyap, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondent

Through: Ms. Avshreya Pratap Singh Rudy,
Adv. (CGSC) with Ms. Usha Jamnal,
Ms. Nyasa Sharma and Mr. Ankit
Khatri, Advocates for UOI.
Mr. Sabarish Subramanian and Ms.
Jahnavi Taneja, Advocates for R-2.
Mr. Suraj Singh, Mr. Sidharth Yadav,
Mr. Rishabh Shivhare, Mr. Sunny
Singh, Mr. Saurabh Dwivedi, Mr.
Aditya Parashar, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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09.04.2026

1. The petitioner's Bank Account bearing no. 520471007394751 (hereinafter '**the Bank Account**') maintained with respondent no.3/ the Union Bank of India (hereinafter '**the Bank**') seems to have been frozen on receiving an intimation by respondent no.3 from the respondent no.2/ the Cyber Crime Police Station, Pudukkottai, Tamil Nadu.



2. Learned counsel who appears for the petitioner submits that the petitioner had extended a friendly loan to his cousin brother who repaid the same through Unified Payments Interface (UPI). It is submitted that the petitioner has not indulged in any fraudulent activity and neither is a part of any offence.
3. Respondent no.3/ Bank has filed its reply. It is stated therein that on receipt of the intimation from the Cyber Crime Police Station, Pudukkottai, Tamil Nadu, and without conducting any independent enquiry, the Bank has acted upon the same.
4. Learned counsel who appears for respondent no. 2 submits that the details of the petitioner since were not available, the only option for the respondent no.2 was to intimate the Bank for freezing of the relevant Bank Account. It is submitted that the petitioner be directed to appear and cooperate with the investigation so as to take the complaint to its logical conclusion.
5. Having heard the learned counsel for the parties, the Court finds that, as of now, there does not seem to be any complicity of the petitioner with respect to any cognizable offence. His role has not yet surfaced in alleged crime, if any.
6. The petitioner's undertaking is also taken on record who contends that he will cooperate with the investigation, if any. It be noted that the Bank Account of the petitioner cannot remain frozen without there being any justification. It appears that there is no crime registered against the petitioner, no charge-sheet has been filed. There does not seem to be any permission obtained from any of the competent Court also.
7. This Court in the case of ***Malabar Gold and Diamond Limited &***



***Ors. v. Union of India & Ors.*¹**, 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.”

8. Having considered the overall conspectus of the facts and circumstances, the petition stands disposed of with the following directions:

- (i) Let the petitioner’s Bank Account be immediately de-frozen.
- (ii) Let the concerned Police Station to issue the notice to the petitioner, in case, the same is required for any investigation.
- (iii) The petitioner’s undertaking is taken on record that he will fully cooperate to investigation agencies, if it is so required.
- (iv) In case, the circumstances in future so warrant, the concerned Authority shall be at liberty to take or initiate fresh action against the petitioner.

PURUSHAINDR KUMAR KAURAV, J

APRIL 9, 2026

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¹ W.P.(C) 4198/2025, Order dated dated 16.01.2025