IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 1961 of 2026

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ARJUN KURUVEETIL PEETHAMBARAN
Versus
THE POLICE INSPECTOR & ORS.
==
Appearance:
RONITH JOY(9560) for the Petitioner(s) No. 1
MR. RITURAJ SINGH CHAUHAN with MR CR ABICHANDANI(2421) for the Respondent(s) No. 3
NOTICE SERVED for the Respondent(s) No. 1,2
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CORAM:**HONOURABLE MR. JUSTICE NIRAL R. MEHTA**

Date : 04/05/2026

ORAL ORDER

1. The present Special Civil Application is filed praying for the following reliefs:-

> *(A) Your Lordships may be pleased to direct the respondents to defreeze the bank account of the applicant bearing Account No. 50100252309114 maintained with respondent No.3 HDFC Bank, Infocity Branch, Gandhinagar;*
>
> *(B) Pending admission and final hearing, Your Lordships may be pleased to direct the respondent bank to permit operation of the said account by keeping only the disputed amount of ₹1,100/- on hold;*
>
> *(C) Any other relief deemed fit in the interest of justice.*

2. The factual matrix of the present petition is that the

applicant is holding a savings bank account bearing No. 50100252309114 with HDFC Bank, Infocity Branch, Gandhinagar, which is his primary account used for salary, household expenses, rent, EMIs and other day-to-day financial transactions. The said account came to be debit-freezed by respondent No.3 bank pursuant to communications received from cyber crime authorities in connection with complaints bearing Acknowledgment Nos. 31609250128406 and 32909250054174.

3. Learned counsel for the applicant submits that the applicant has no involvement whatsoever in any alleged cyber crime and is neither named as an accused nor as a suspect in any proceedings. It is submitted that the account has been freezed merely, on account of two small credit transactions of ₹500/- and ₹600/-, totaling ₹1,100/-. Despite repeated representations made by the applicant, no detailed reasons or documents have been supplied to him and the entire bank account has been frozen, thereby preventing him from accessing his lawful earnings.

4. Though served, the respondent No.1 and 2 have not appeared.

5. Learned APP appearing for the respondent State submits that the action of freezing the account has been undertaken in connection with cyber crime investigation. Learned advocate for respondent No.3 bank submits that the bank has acted pursuant to the instructions received from the Investigating agency and appropriate orders may be passed by this Court.

6. Heard learned advocates for the respective parties and perused the material on record.

7. It appears that during the course of investigation in certain cyber crime complaints, it has transpired that certain amounts have been transferred through various bank accounts and the account of the present applicant has been reflected in the transaction trail. The material on record indicates that the alleged suspicious transactions in the present case are limited to ₹500/- and ₹600/-, aggregating to ₹1,100/-. However, on account of such limited transactions, the entire bank account of the applicant has been debit-freezed, thereby restricting access not only to the alleged amount but also to the applicant's legitimate earnings and savings.

8. The power of the investigating agency to direct freezing of bank accounts during the course of investigation cannot be disputed. However, such power is required to be exercised in a

reasonable, proportionate and lawful manner. The freezing of an entire bank account without specifying the quantum of suspected amount or without establishing the involvement of the account holder in any criminal activity results in undue hardship and adversely affects the fundamental rights of the citizen.

9. In the present case, the applicant is not shown to be an accused in any criminal proceedings and the alleged suspicious amount is quantified at ₹1,100/- only. Freezing of the entire account, including the applicant's salary and lawful deposits, is disproportionate and results in serious prejudice affecting his right to livelihood and dignity guaranteed under Article 21 of the Constitution of India.

10. This Court is therefore of the considered opinion that the ends of justice would be met if the respondent authorities are directed to restrict the freeze only to the extent of the disputed amount and permit the applicant to operate the remaining balance in the account.

11. In view of the aforesaid facts and circumstances, the present petition is allowed in the following terms:

(i) The respondent No. 3 is directed to defreeze the bank account of the applicant bearing No. 50100252309114 maintained with HDFC Bank, Infocity Branch, Gandhinagar;

(ii) The respondent bank shall mark a lien to the extent of ₹1,100/- (₹500/- + ₹600/-) in the said account, which shall remain subject to the outcome of the investigation in connection with Acknowledgment Nos. 31609250128406 and 32909250054174;

(iii) The applicant shall be permitted to operate the said bank account fully. except to the extent of the lien amount;

(iv) The applicant shall cooperate with the investigating agency as and when required;

(v) It is clarified that this order shall not be construed as an expression on the merits of the investigation.

12. The petition stands disposed of accordingly. No order as to cost.

(NIRAL R. MEHTA,J)

NIHAL PATEL