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

+ **W.P.(CRL) 1204/2024 & CRL.M.A. 11671/2024**

NSDPAY TECHNOLOGY PRIVATE LIMITEDPetitioner
Through: Mr. Sanjay Dewan, Sr. Advocate
along with Mr. Praveen Pathak, Ms.
Rakhi Bhardwaj, Mr. Anish Dewan,
Mr. Vivekanand Jha and Ms. Garima
Verma, Advocates

versus

UNION OF INDIA AND ORSRespondents
Through: Mr. Satya Ranjan Swain, SPC with
Mr. Kautilya Birat and Mr. Rajmami
Mohanty, Advocates for R-1
Mr. Anurag Ahluwalia, Sr. Advocate
with Mr. Kaushal Jeet Kait, GP
(Amicus)
Mr. Rajiv Kapur, SC for SBI with Mr.
Akshit Kapur, AOR and Ms. Riya
Sood, Advocate for SBI

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER
12.02.2025

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1. As per the amended memo of parties, Respondent Nos. 6 and 7 are the enforcement agencies based in Ghaziabad, Uttar Pradesh (UP) and Surat, Gujarat on whose request/instructions, some of the Respondent Banks have received the request to debit freeze the Petitioner's account. However, as per the office noting, service report on the said Respondent Nos. 6 and 7 is awaited.



2. Respondent no. 5/SBI has filed an affidavit. As per annexure A-1 of the affidavit the said bank has received multiple debit freeze orders from multiple enforcement agencies; and the said enforcement agencies are not parties before this Court.

2.1. Further, a perusal of Annexure A-1 filed by Respondent No. 5/SBI, specifically serial no. 21, shows that request for debit freeze has also been received from Cyber Police Station, Outer North, Delhi.

3. Learned senior counsel for the Petitioner states that the Petitioner has been rendered remediless due to the multiple debit freeze orders and the lack of coordination between the enforcement agencies, who are all working under the directions of National Cybercrime Reporting Platform (NCRP).

3.1. He states that the Petitioner submits that a lien may be marked for a specific amount on the bank accounts and the Petitioner may be permitted to use the accounts. He states however presently due to debit freeze, the Petitioner is unable to operate the accounts.

3.2. He states however, the Petitioner has not been served with any notice to join the investigation by the enforcement agency.

4. Learned Amicus Curiae states that it would be appropriate if National Cybercrime Reporting Platform (NCRP) Cyber Crime Head, which is controlled by Ministry of Home Affairs is summoned, so that it can be ascertained that what recourse can be made available to the Petitioner in this matter.

5. In view of the above, issue notice to NCPR Cyber Crime Head through the standing counsel, Union of India.

6. The NCPR Cyber Crime Head is directed to join the hearing through video conferencing link on the next date of hearing.



7. Though Respondent No. 1 is Union of India impleaded through Ministry of Finance, none has appeared today. Upon steps being taken by Petitioner, issue notice to the standing counsel.
8. Upon steps being taken by Petitioner, issue notice to NCPR Cyber Crime Head and DCP Cyber Police Station, Outer North, Delhi. In addition, through standing counsel/nominated counsel. The Petitioner shall file an amended memo of parties within one week.
9. Upon steps being taken by Petitioner, issue fresh notice to the Resident Commissioner, Gujarat and Resident Commissioner, UP. In addition, to the Standing Counsel, Gujarat, Supreme Court and Standing Counsel, UP, Supreme Court.
10. Mr. Kaushal Kait, Advocate is requested to assist the learned Amicus, Mr. Anurag Ahluwalia, Senior Advocate in this matter.
11. List on **04.03.2025** at **02:15 P.M.**

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 12, 2025/rhc/MG