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

+ **W.P.(C) 7415/2025 and CM APPL. 33239/2025**

GAGAN GULATI

.....Petitioner

Through: Mr. Sahil Kakkar and Mr.
Dharmendra Mishra, Advocates.

versus

UNION OF INDIA AND ANR

.....Respondents

Through: Mr. Arjun Mahajan, SPC with Mr.
Apoorv Upamanyu and Mr. Harsh Vahsishth,
Advocates for R1.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **27.05.2025**

CM APPL. 33239/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 7415/2025

3. The present petition has been filed by the petitioner seeking following reliefs:

“(a)Issue a writ of or in the nature of Mandamus and/or any other appropriate writ/s, order/s or direction/s to the respondents to De Freeze the bank account No. 50100319878068 of the petitioner.

(b)Issue a writ of or in the nature of Mandamus and/or any other appropriate writ/s, order/s or direction/s to the respondents to remove the lien on the amount of Rs.107,000/-”



4. The case set out by the petitioner in the present petition is that petitioner is engaged in small-scale business activities including running of PG accommodation, saloons and real estate related services.
5. The petitioner is maintaining a joint saving account no. 50100319878068 with his mother namely Smt. Indu Gulati at Janakpuri Branch of respondent no.2/HDFC Bank.
6. The petitioner was unable to access the said account via HDFC mobile banking application in the month of May 2025, and upon enquiry being made from the concerned Branch of the respondent no.2 Bank, it transpired that said account has been debit-freezed following an intimation from an investigating agency regarding an alleged receipt of approximately Rs.1,07,000/-, suspected to be linked to be a cyber fraud.
7. He submits that before debit-freezing the aforesaid account of the petitioner, no show-cause notice was given to the petitioner. He submits that petitioner has no knowledge or involvement in the alleged cyber fraud.
8. Mr. Sahil Kakkar, learned counsel for the petitioner submits that as per the information available with the petitioner, there is no order of any Court directing placing of debit-freeze on the account of petitioner. He further contends that it is not known as to which investigation agency has given instructions to respondent Bank to debit-freeze the account of petitioner.
9. In view of above, issue notice. Learned counsel appearing on behalf of respondent/Union of India accepts notice.
10. Counter-affidavit, if any, be filed within a period of four weeks from the date of service. Rejoinder thereto be filed within two weeks thereafter.



11. On petitioner taking steps, issue notice to the respondent no.2 by all permissible modes returnable on 28.08.2025.

VIKAS MAHAJAN, J

MAY 27, 2025/jg