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

+ **W.P.(CRL) 3840/2024**

JUNAID KHAN & ORS.

.....Petitioners

Through: Mr. Shakir Shabir with Mr. Syed Bashar Afzal, Mr. Nirnay Pratap Singh, Mr. Vikrant Singh, Mr. Sazid Sr. Shah and Mr. Kashif Zafar, Advocates.

versus

UNION OF INDIA THROUGH ITS SECRETARY MINISTRY OF HOME AFFAIRS & ORS.

.....Respondents

Through: Dr. Ramaswamy Swamy with Mr. Chetan Jadon, Go for R-1 to 3. Mr. Yasir Rauf Ansari, ASC for the State with Mr. Alok Sharma, Mr. Vasu Agarwal, Ms. Pragya Sharma, Advocates for R5. SI Vikshit Tomar, PS Cyber East

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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09.12.2024

CRL.M.A. 36943/2024

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

W.P.(CRL) 3840/2024

By way of the present petition filed under Articles 226/227 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners seek a direction to the



concerned respondents for de-freezing of certain accounts held by them at various banks, as per the details contained in the petition.

2. Mr. Shakir Shabir, learned counsel appearing for the petitioners submits, that the petitioner had liquidated crypto-currency of USDT 8400, amounting of about INR 7 lacs in connection with his professional work, and the proceeds thereof were thereafter transferred by him to the accounts of petitioners Nos.2 to 5, in connection with certain financial dealings between him and the other petitioners, who are related or acquainted to him in various ways.
3. Counsel submits however, that without any notice to the petitioners, it transpired that bank accounts of *all the petitioners* have been frozen in the entirety; and upon inquiry, the banks have also not communicated to the petitioners any reason for freezing the accounts, except to say that there are certain cyber complaints based on which the accounts have been frozen.
4. Counsel states, that to the best of their knowledge, no FIR has been registered against any of the petitioners; that sale and purchase of crypto currency is not prohibited in India; and the petitioners are unaware as to why their accounts have been frozen.
5. Issue notice.
6. Learned counsel, as above, appear on behalf of respondents Nos.1 to 3 and 5 on advance copy; accept notice; and seek time to file status report.
7. Upon the petitioners taking requisite steps, let notice be sent to respondents No. 4 and 6 to 12 by all permissible modes, returnable for the next date.



8. Let status reports/replies be filed within 04 weeks; response(s) thereto, if any, be filed within 02 weeks thereafter; with copies to the opposing counsel.
9. Re-notify on 29th January 2025.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 9, 2024
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