HC-KAR

NC: 2026:KHC:17369
WP No. 8674 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 8674 OF 2026 (GM-RES)

BETWEEN:

MR YASH RANA
S/O GANGA SINGH
AGED ABOUT 26 YEARS,
R/AT NARSENA, BULANDSHAHR,
UTTAR PRADESH-202398.

...PETITIONER

(BY SRI. RAMESH YANKOB., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY COMMISSIONER OF POLICE,
BENGALURU CITY, ALI ASKER ROAD,
VASANTH NAGAR, BENGALURU,
KARNATAKA-560051.
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA

2. THE STATE OF KARNATAKA
POLICE INSPECTOR,
JAYANAGARA,
BENGALURU-560001.
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA

3. THE STATE OF KARNATAKA
REPRESENTED BY,
THE SECRETARY
DEPARTMENT OF HOME AFFAIRS
AMBEDKAR VEEDHI,

VIDHANA SOUDHA,
BENGALURU-560 001.

4. HDFC BANK
REPRESENTED BY,
THE BRANCH MANAGER
HDFC BANK, JAHANGIRABAD,
UTTAR PRADESH-202394.

…RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA
VIDE COURT ORDER DATED 26.03.2026
NOTICE TO R4 DISPENSED WITH)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECTING THE RESPONDENT NO. 5 TO DEFREEZE THE ACCOUNTS OF THE PETITIONER AND PERMIT THE PETITIONER HEREIN TO USE AND OPERATE THE BANK ACCOUNT OF PETITIONER A/C 50100526309922, IFSC-HDFC0002648 MAINTAINED IN HDFC BANK JAHANGIRABAD, UTTAR PRADESH, INDIA-202394 AND ETC.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned writ petition is filed seeking issuance of a writ in the nature of mandamus directing respondent No.4–Bank to defreeze the petitioner’s bank account bearing No.50100526309922, IFSC: HDFC0002648, maintained with HDFC Bank, Jahangirabad Branch, Uttar

Pradesh – 202394, and consequently permit the petitioner to operate the said account.

2. The petitioner contends that he is maintaining the aforesaid savings bank account with respondent No.4–Bank and that the said account is his salary account, which is actively used for his day-to-day financial transactions. It is his specific case that the funds lying in the said account constitute his primary source of livelihood. It is further averred that, to his utter shock and surprise, he found that the said bank account had been frozen. Upon enquiry, the petitioner was orally informed by the officials of respondent No.4–Bank that the freezing of the account was pursuant to a communication received from respondent No.2–Police in connection with an alleged offence under the Information Technology Act, 2000.

3. Heard the learned counsel appearing for the petitioner. Perused the material on record, including the statement of account. It is not in dispute that respondent

No.4–Bank, acting upon the communication received from the Investigating Agency, has proceeded to freeze the entire bank account of the petitioner.

4. On consideration of the material placed on record, this Court is of the prima facie view that though respondent No.4–Bank was justified in taking note of the communication issued by the Investigating Agency and initiating appropriate action, the measure adopted in freezing the entire bank account of the petitioner appears to be excessive, disproportionate and arbitrary. This Court cannot lose sight of the fact that freezing the entire bank account, particularly of a salaried individual, would result in serious hardship affecting his day-to-day sustenance.

5. If the alleged crime proceeds are identifiable and confined to a specific amount, the action of freezing the entire account, without restricting the lien to such amount, would not satisfy the test of proportionality. Therefore, a balanced approach is required so as to

protect the interest of the investigation while at the same time safeguarding the petitioner's right to livelihood.

6. In that view of the matter, this Court deems it appropriate to permit the petitioner to submit a representation to respondent No.4–Bank seeking disclosure of the quantum of the alleged amount forming the basis for freezing of the account. In the event respondent No.4–Bank possesses material indicating the extent of the amount involved, it shall act proportionately by marking lien only to that extent and permit operation of the account insofar as the remaining balance is concerned.

7. Accordingly, this Court proceeds to pass the following:

ORDER

(i) The writ petition is allowed in part.

(ii) The petitioner is granted liberty to submit a representation to respondent No.4–Bank seeking disclosure of the quantum of the alleged crime proceeds forming the basis for freezing of his bank account.

(iii) Upon receipt of such representation, respondent No.4–Bank shall, within a reasonable period, furnish particulars regarding the amount alleged to be involved.

(iv) In the event the said amount is ascertained, respondent No.4–Bank shall ensure that lien is marked only to the extent of the said amount, and the petitioner shall be permitted to operate the bank account in respect of the remaining balance.

(v) All other contentions are kept open.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

ALB
List No.: 1 Sl No.: 18