2026:PHHC:073063

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
***

121

CWP-10926-2026
Date of Decision: 11.05.2026

AANCHAL GOYAL

…Petitioner

Versus

CANARA BANK & OTHERS

…Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Sahil Garg, Advocate for petitioner

Mr. Gaurav Goel, Advocate and
Mr. Teginder Singh, Advocate
For respondent No.1

Mr. Nitin Thatai, Advocate
For respondent Nos.2 & 3

Mr. D.K. Singal, Advocate and
Mr. Rahul Garg, Advocate
For respondent No.4

***

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking directions to de-freeze her Bank Accounts maintained with respondent Nos.1 to 4.

2. Mr. D.K. Singal and Mr. Rahul Garg, Advocates have appeared and filed memorandum of appearance on behalf of respondent No.4. The same is taken on record. Registry is directed to tag the same at an appropriate place.

2026:PHHC:073063

3. Learned counsel for the petitioner submits that petitioner made investment of Rs.33,000/- in an investment App. She received Rs.42,944/- from the said App. She is having 4 accounts with different Banks. She was having FDR which matured. The maturity amount was Rs.2,01,000/-. The amount lying in her accounts have moved from one account to another account. She had not received tainted money. Respondent Nos. 1 to 4 have frozen her bank accounts without notice. As per her information, the Banks have acted upon directions of Law Enforcement Agencies. She is not involved in any criminal activity. She is not named in any FIR relating to financial fraud, if any, committed by unknown persons. There is no order of Magistrate under Section 107 of Bharatiya Nagarik Suraksha Sanhita (‘BNSS’) with respect to her accounts.

4. Learned counsel for the respondent submits that Banks have acted upon directions of Law Enforcement Agencies. They have not received any order from Magistrate. They have no knowledge about involvement of petitioner in the commission of offence which prompted authorities to take impugned action. As per their information, entries of Rs.43,000/- in Canara Bank, Rs.85,888/- in HDFC Bank, Rs.10,000/- in AU Small Finance Bank and Rs.10,000/- in Ujjivan Small Finance Bank are suspicious in petitioner’s accounts.

5. Heard the parties and perused the record.

6. Kerala High Court in ***Headstar Global Pvt. Ltd. Vs. State of Kerela, 2025 SCC OnLine Ker 3546*** has held that freezing of Bank accounts must be proportionate, reasoned, and supported by material indicating the

account holder's involvement in the alleged offence. Bank account under Section 106 of BNSS cannot be attached. The Supreme Court has dismissed SLP being ***SLP (Criminal) No.13433/2025*** filed against aforesaid judgment.

7. Bombay High Court in ***Kartik Yogeshwar Chatur Vs. Union of India, 2025 SCC OnLine Bom 4778*** has held that an Investigating Agency has no power to debit freeze or attach a Bank account under Section 106 of the BNSS, and that any such action can be taken only in accordance with Section 107 of the BNSS upon orders of the competent Magistrate.

8. Delhi High Court in ***Neelkanth Pharma Logistics (P) Ltd. Vs. Union of India, 2025 SCC OnLine Del 1055*** has observed that freezing of an entire Bank account merely on account of a small and identifiable amount alleged to be proceeds of cyber fraud having been credited therein, is a disproportionate and arbitrary exercise of power, particularly when the account holder is neither an accused nor even a suspect in the offence under investigation. The Court emphasized that such blanket freezing, without recording or communicating any reasons, results in grave civil and financial consequences, including disruption of business operations, dishonour of cheques and severe hardship, and directly impinges upon the right to livelihood. Innocent and unwary account holders cannot be made to suffer merely because proceeds of crime may have temporarily passed through their accounts, unless investigation reveals their complicity or conscious receipt of such funds.

9. From the perusal of record and arguments of both sides, it is evident that no FIR has been registered against the petitioner. No order of

2026:PHHC:073063

attachment under Section 107 of BNSS has been passed by the Magistrate. The respondents have frozen her accounts whereas there is no evidence or order disclosing receipt of tainted money. The petitioner has transferred her own funds. Claim of petitioner is genuine and deserves to be allowed. Accordingly, respondent-Banks are directed to de-freeze petitioner's accounts within 1 week.

10. It is made clear that this order shall not legalize any act or omission of the petitioner, if at any stage, she is found involved in the commission of any offence or violation of provision of any law in force.

11. The petition stands disposed of in above terms.

12. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

11.05.2026
SDK

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No