04. 02.11.2026.
Court No.08.

(Pritam)

In the High Court at Calcutta

Civil Appellate Jurisdiction
(Vacation Bench)

MAT 1900 of 2026
with
CAN 1 of 2026

Tejhati FL On Shop.
-Vs.-
The Central Bank of India & Ors.

Mr. Biswaroop Bhattacharya,
Mr. Sumitava Chakraborty,
Ms. Bratati Pramanick,
Mr. Shantanu Chakraborty.

....for the appellant.

Mr. Shiv Mangal Singh,
Mrs. Madhu Shaw,
Ms. Anjali Mishra.

.....for the respondent nos.1 & 2.

1. Supplementary affidavit filed on behalf of the appellant is taken on record.

2. This appeal arises out of an order dated 23rd October, 2026 by which a prayer for defreezing the bank account of the appellant being the writ petitioner in WPA 29817 of 2026 was refused.

3. After hearing the parties and considering the materials on record, it appears that a First Information Report

(FIR) was received by the Electronic City Police Station under Electronic City Sub-division, Bengaluru City Police on 20th August, 2026 from a complainant alleging cyber fraud in respect of bank account No.630601574835 for a sum of Rs.1,75,799/-. Four accounts have been earmarked as fraudster accounts. The fraudster phone numbers are respectively, 8282067305 and 9830593581. The appellant (the writ petitioner) maintains an account with Central Bank of India and its Rahara Branch bearing No.3743084407.

4. It is the case of Electronic City Police Station, Bengaluru, that a sum of Rs.89,415/- has come to the appellant's bank account from the bank account of the complainant. The appellant's bank account, however, does not tally with any of the four fraudster bank accounts mentioned in the FIR.

5. It is the further case of the appellant that pursuant to the letter received by the bank from the Electronic Police Station, Bengaluru, the Said bank had freezed the bank account of the appellant bearing No. 3743084407 in terms of the directions given by the said police station. On a scrutiny of the documents, it appears that the total amount of fraud alleged by the complainant before the Electronic City Police Station, Bengaluru was Rs.1,75,799/- and out of that Rs.89,415/- alleged to have come into the bank account of the appellant. The appellant's account is also

different from the four fraudster accounts mentioned in the FIR. Document also does not reveal that pursuant to investigation in terms of the FIR, the police authorities have come to know that the appellant's bank account was involved in the fraud complained of. The appellant says that the appellant operates a Foreign Liquor On Shop and has received payment against sale of goods. The identity of the accounts, from which the appellant received the payment, was not known to the appellant. In normal course of business and in a *bona fide* manner, the appellant had received and accepted the money in its bank account from its customers. The appellant, therefore, cannot be saddled with penal consequences for which its account can be freezed.

6. The bank, on the other hand, raises a preliminary objection as to jurisdiction of this Court to entertain the writ petition. The bank says that the cause of action in favour of the appellant, if any, has arisen outside the jurisdiction of this Court as the same was triggered out of an FIR lodged on 20th August, 2026 before the Electronic City Police Station, Bengaluru.

7. We are unable to accept such submission. The appellant is within the jurisdiction of this Court. The branch of the bank wherein the appellant maintains the bank account is also within the jurisdiction of this Court. In respect of bank, the cause of action arises by virtue of the location of the branch or for by virtue of the location

of its registered office. Since the branch is situated within the jurisdiction of this Court and the bank concerned being an authority under Article 12 of the Constitution of India while transacting its banking business, this Court has the jurisdiction to receive, try and determine the writ petition.

8. The bank next submits that the learned Single Judge as also the Division Benches before whom the appeal had appeared during the vacation did not pass any interim order and as such this bench should not also pass any interim order. The bank further submits that in view of an underlying threat of penal consequences being taken against the appellant, the bank had no other option but to freeze the account of the appellant. These submissions made by the bank, in our view, also does not also hold good. The initial letter dated 2nd September, 2026 relates to a sum of Rs.89,415/-. The entire amount complained of in the FIR is Rs.1,75,799/-. The bank, therefore, could not have freezed the entire bank account of the appellant under the threat of the letter received from the Electronic City Police Station, Bengaluru dated 24th September, 2026 as a sum of Rs.89,415/- at the highest is involved in respect of the appellant's bank account.

9. It is also apparent from the orders passed by the previous Division Benches during vacation that the matter requires further scrutiny.

10. The facts are now clear before us and as such, we direct the Central Bank of India, Rahara Branch as also the Regional Head Office of the said bank to defreeze the bank account of the appellant bearing No. 3743084407, maintained with Rahara Branch after leaving a balance of Rs.89,415/-.

11. In the event the balance in the said account at the present is less than Rs.89,415/-, the appellant shall put in the deficit amount within 5 working days from the date of this order.

12. In the event the balance in the appellant's bank account is in excess of Rs.89,415/-, the appellant should be permitted to operate the bank account within 3 working days from this date. So far as the sum of Rs.89,415/- is concerned the same shall be released and/or dealt with depending upon the enquiry pursuant to the FIR referred to hereinabove.

13. Needless to mention that the order is passed in the presence of the bank and as such, no further communication is required, but for abundant caution, the appellant is direct to communicate a server copy of this order duly downloaded from the official website of this Court.

14. The bank and all other concerned authorities shall act on the basis of the server copy without insisting upon production of a certified copy thereof.

15. Since no further issue remains outstanding, the appeal along with the writ petition stands disposed of.

16. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Arindam Mukherjee, J.)

(Arjun Ray Mukherjee, J.)