

16.07.2026
Court No.25
D/L No.10
S. Gayen

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 11165 of 2026
ASL Solutions Tech Private Limited
Versus
The Union of India & Ors.

Mr. Kushal Chatterjee Mr. Rohit Agarwal Mr. Sibashis Choudhury	...for the Petitioner
Mr. Pradyut Saha	...for the State
Mr. Ajit Kumar Chaubey Mr. Kamaljeet Singh	...for the State
Mr. Ayan Chakraborty Ms. Sohini Mukherjee	...for the Respondent No.6

1. By an order dated July 2, 2026 this Court directed the respondent No.5, Branch Manager, AU Small Finance Bank at 10, Hindustan Road, Doer Terrace, Gariahat, Kolkata as well as the Kotak Mahindra Bank at Sarat Bose Raod, Kolata to file the report with regard to the status of the account of the petitioner and the total amount pending in the name of the petitioner and the disputed amount with regard to the account of the petitioner.
2. In spite of service of notice, none appears on behalf of the AU Small Finance Bank.
3. The authorized representative of Kotak Mahindra Bank has filed the affidavit stating that the petitioner is maintaining the current bank account in the Kotak Mahindra Bank being account No. 7850517719 and was active but only on receipt of the notice from

Hulimavu Police Station, Electronic City, Division Bangalore City Police under Sections 94/104 of the BNSS, 2023, the Kotak Mahindra Bank has freezed the account of the petitioner. In the report, it is mentioned that the balance amount of the petitioner, as on date, is Rs. 4,44,550.63/-.

4. Learned counsel appearing for the Kotak Mahindra Bank submits that the bank has only received the communication with regard to the account of the petitioner but in the said communication dated February 20, 2023 there is no particular amount is mentioned. In the report, it is further mentioned that the respondent bank has also received several online complaints through the NCR portal, pursuant to which, the Kotak Mahindra Bank has marked the multiple amounts as disputed amounts in the account of the petitioner. Learned counsel for the bank submits that the total disputed amount is about Rs. 2,13,000/-.
5. Learned counsel for the petitioner submits that only on receipt of the report from the Bangalore City Police, the bank has freezed the account of the petitioner but no order from the competent court has been obtained for freezing the account of the petitioner under Sections 106/107 of the BNSS.
6. Learned counsel for the petitioner has relied upon the order passed by this Court in **WPA 19956 of 2025** in the matter of **Tamasha Samanta vs. Union of India & Ors.** dated December 9, 2025 wherein this Court held that without order of the competent court and

without receiving any order from the investigating officer for freezing of the account, bank cannot freeze the account. In the present case also, the bank has failed to produce any document to prove that the investigating agency has obtained any order from any competent court for freezing the account of the petitioner.

7. Heard the learned counsel for the respective parties. Perused the materials on record and the order relied upon by the petitioner.
8. This Court finds that as per the report submitted by the bank, the bank has freezed the account of the petitioner only on receipt of a report from the Bangalore City Police on February 20, 2026. The report does not reflect with regard to any particular amount, only it was informed to the bank that the account of the petitioner is to be freezed.
9. The petitioner has also made the Bangalore City Police as party respondent and sent the notice but in spite of service of notice, none appears on behalf of the police authorities.
10. This Court finds that only on the basis of a report of the Bangalore City Police, the Kotak Mahindra Bank has freezed the account of the petitioner on February 20, 2026. Admittedly, there is no order from any competent court for freezing the account of the petitioner. Even after received of the notice, the police authorities have not come forward to object for defreezing the account of the petitioner or produced

any status of investigation of the case, if any, initiated against the petitioner.

11. Considering the above, both banks are directed to defreeze the account of the petitioner and to allow the petitioner to operate the bank account.

12. Accordingly, **WPA 11165 of 2026** stands **disposed of**.

13. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

14. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)