



2026:CGHC:3506

NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

### WPC No. 50 of 2026

Shri Kulbir Singh Choudhary S/o Late Shri Hawa Singh Choudhary Aged About 60 Years R/o Near Bilaspur Chowk, Manipur, Outpost Manipur, Police Station- Kotwali, Tehsil- Ambikapur, District Sarguja C.G.

... Petitioner.

### **Versus**

1. Reserve Bank Of India Through Its Governor, Having Its Head Office At New Central Office Building, Shaheed Bhagat Singh Road, Fort Mumbai (Maharashtra).
2. Central Bank Of India, Through The Branch Manager, Regional Office- Ambikapur, Near Banaras Chowk, Nemnakala, District- Sarguja C.G.
3. The Station House Officer, Manipur, Ambikapur, District Sarguja C.G.
4. The Inspector Of Police, Cyber Crime Police Station, D.C. Road, Ambikapur, District Sarguja C.G.

... Respondents.

{Cause title downloaded from CIS Periphery}

|                        |   |                                                                           |
|------------------------|---|---------------------------------------------------------------------------|
| For Petitioner         | : | Ms. Sharmila Singhai, Senior Advocate with Ms. Kanchan Kalwani, Advocate. |
| For Respondent No.1    | : | Mr. P. R. Patankar, Advocate.                                             |
| For Respondent No.2    | : | Mr. Sharad Mishra, Advocate.                                              |
| For Res No.3 & 4/State | : | Mr. Keshav Gupta, Government Advocate.                                    |

**(Hon'ble Shri Justice Naresh Kumar Chandravanshi)**

**Order on Board**

**21/01/2026**



1. This Writ Petition under Article 226 of the Constitution of India has been filed for the following reliefs:-

"10.1. That this Hon'ble Court may kindly be pleased to call the entire records pertaining to the case of the petitioner regarding freezing of debit operations of his bank account.

10.2. That this Hon'ble Court may further kindly be pleased to issue appropriate writ to the respondent authorities to de-freeze the debit operations of the bank account of the petitioner bearing account no. 1681534531 of the Central Bank of India.

10.3. That the Hon'ble Court may kindly be pleased to direct the respondent authorities to allow the petitioner to operate his account without any hindrance or objections.

10.4. The Hon'ble Court may further kindly be pleased to issue writ/ order/ direction to respondent no.4 to withdraw the communication made to respondent no.2 or issue fresh communication directing to hold only the disputed amount of Rs. 10110 credited by the unknown person and to de-freeze the debit operations of the petitioner's account with the respondent no.2.

10.5. That any other relief/order which may deem fit and just in the facts and circumstances of the case."

2. Ms. Sharmila Singhai, learned Senior Advocate submits that the petitioner runs a small scale transportation business at Ambikapur and he is having savings account bearing Account No.1681534531 in respondent No.2/Central Bank of India, Branch office near Banaras Chowk, Nemnakala, P.O. Ambikapur, District Surguja (CG). On 28.02.2025 some suspicious online transaction was made and Rs.10/-, Rs.5000/- and Rs.5100/-, respectively, in aggregate Rs.10,110/- was credited in the account of the petitioner. In this regard, the petitioner



has registered Non Cognizable Offence Information Report (NCR) before the Police Station Manipur, District Ambikapur under Section 174 of the Bhartiya Nagrik Suraksha Sanhita, 2023 on 26.10.2025 (Annexure-P/8). She further submits that though there is no fault on the part of the petitioner for such suspicious transaction, but respondent No.2/Central Bank of India, without issuing any formal order, has prevented the petitioner to make any transaction through the aforesaid account. Therefore, at this juncture, this petition may be disposed of and a direction may be issued to respondent/Bank to permit the petitioner to make transaction through aforesaid account.

3. When a specific question was put to Mr. Shobhit Mishra, counsel for respondent No.2 as to whether any order has been passed to freeze account of the petitioner, he stated that no such order has been passed by the Bank. However, at this juncture, he undertakes that the petitioner will be permitted to operate his bank account. Although if aforesaid amount is found to be suspicious then Bank may retain only such suspicious credit from the account of the petitioner.
4. Heard learned counsel for the parties and perused the documents annexed with the petition.
5. It is common phenomenon now a days that various suspicious transactions are made in the account of bank customers without their knowledge. However, in the absence of criminal intent, customers ought not to be prevented from operating their accounts. Indeed if any criminal intent is found after due enquiry, the concerned Bank must pass a formal order prior to freezing the customer's account, as practice



of freezing the account or preventing to make any transaction will ultimately harass the customers without any fault on their part.

6. In the present case, when specific question was put to counsel for respondent No.2 as to whether prior to freezing of account any order was passed, he informed that no order had been issued by the Bank in this regard, although he assured that petitioner will be permitted to operate his bank account.
7. Considering the aforesaid undertaking and also keeping in view the fact that petitioner himself has registered complaint before the police vide Annexure-P/2 with regard to suspicious credit of Rs.10110/- in his account and that the said credit is a meager amount, this petition is disposed of directing respondent No.2 to take suitable steps to permit the petitioner to operate his bank account forthwith. However, respondent No.2 is at liberty to take appropriate steps for withholding of suspicious credit in accordance with applicable law/rules /policy/guideline.
8. Furthermore, looking to the frequent happening of similar incident, counsel for respondent No.1/RBI is supposed to suggest respondent No.1 to take appropriate steps in this regard so that customers of banks would not face any hindrance to operate their accounts without there being any fault on their part.
9. With the aforesaid direction and observation, this petition stands disposed of.

Sd/-

**(Naresh Kumar Chandravanshi)**  
**Judge**