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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Date of Decision: November 17th, 2026***

\# **CNR No. DLHC010238742026**

\+ W.P.(C) 7367/2026 & CM APPL. 39669/2026

SH SARABJIT SINGH CHADHA & ANR. .....Petitioners

Through: Mr. Aditya Dhawan, Advocate (Through VC).

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr. Sandeep Vishnu, SPC with Mr. Rahul Bhaskar, GP, Mr. Rajesh Kumar, Mr. Nitin Kumar, Advocates for R1, 3 and 4.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. *(Oral)*

1. The present petition has been filed by the petitioners seeking, *inter alia*, quashing of the cyber complaint bearing NCCRP Acknowledgment No. 20803260023619 dated 18.03.2026 lodged before Cyber Cell, Karol Bagh, Delhi and de-freezing of the bank accounts of the Petitioners maintained with Kotak Mahindra Bank, Karol Bagh Branch, bearing Account Nos. 6913600887 and 6945029830 and remove of the lien marked in the accounts.

2. Petitioner No.1 – Mr. Sarabjit Singh Chadha, is stated to be a senior citizen aged about 63 years and Petitioner No. 2 – Mr. Gursimran Singh Chadha, is his son. The grievance of the petitioners

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principally arises from the freezing/debit restriction placed on their aforesaid bank accounts pursuant to a complaint, made through the National Cyber Crime Reporting Portal ("**NCCRP**"), made by Ms. Shreya Goyal on behalf of her mother, Smt. Neetu Goyal, in relation to transfer of an amount of ₹30,00,000/-.

3. It is the case of the Petitioners that the Petitioner No. 1 entered into Agreement to Sell dated 11.07.2013 with *M/s S.K.G. Doors Pvt. Ltd.*, through its then Director Sh. Piyush Goyal, for purchase of the entire third floor with roof/terrace rights along with proportionate share in stilt parking, forming part of freehold property bearing No. 5/2, built on Plot No.2, Block No.5, situated at W.E.A., Karol Bagh, New Delhi, admeasuring about 254.16 sq. yards (Khasra No. 1634/1147), for a total sale consideration of ₹60,00,000/- . Pursuant thereto, the Petitioner No. 1 paid a sum of ₹30,00,000/- as earnest money to the said company *vide* Cheque No. 259231 dated 12.07.2013, drawn on State Bank of Patiala, Pusa Road Branch, New Delhi, which was duly encashed.

4. Allegedly, since the company failed to execute the Sale Deed, the Petitioner No. 1 instituted a Suit for Specific Performance on 11.02.2016 bearing *CS DJ No. 10975/2016* titled *Sarabjit Singh Chadha vs. M/s S.K.G. Doors Pvt. Ltd.* before the Learned District Judge, Central, Tis Hazari Courts. Eventually, the parties decided to settle their disputes by refunding the amount of ₹30,00,000/- and withdrawing the Suit in lieu of the refund.

5. Consequently, the Settlement Deed dated 16.03.2026 was prepared and executed on a non-judicial e-stamp paper of Rs. 100/-,

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duly attested and notarized, recording the terms of the settlement between the Petitioner No. 1 and M/s S.K.G. Doors Pvt. Ltd. (through its Director Smt. Neetu Goyal).

6. In lieu of the settlement arrived, the amount of ₹30,00,000/- was transferred from the Bank Account of Smt. Neetu Goyal to the Petitioner No. 1's Kotak Mahindra Bank Account on 17.03.2026, in 4 tranches as under: -

a) Rs. 5,00,000/- *vide* Transaction ID 607613220479 at 13:00 PM;

b) Rs. 5,00,000/- *vide* Transaction ID 607612220756 at 13:05 PM;

c) Rs. 10,00,000/-· *vide* Transaction ID AUBLN62026031738408309 at 13:10 PM;

d) Rs. 10,00,000/- *vide* Transaction ID AUBLR62026031722730416 at 13:00 PM.

7. Thereafter, in ordinary course of family arrangement, the amount of ₹30,00,000/- was transferred by the Petitioner No. 1 to the Account of Petitioner No. 2, his son.

8. On 18.03.2026, Ms. Shreya Goyal lodged the subject complaint on the NCCRP alleging *'Internet Banking Related Fraud'* and that her mother, Smt. Neetu Goyal had '*mistakenly*' transferred Rs. 30,00,000/- .

9. It is only on 24.04.2026, the Petitioners discovered that the accounts have been frozen and there is a lien marked thereon, when they visited the concerned Bank. It is claimed that the same has been done without any prior notice, hearing or passing of any formal order under Section 106 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 102 of the Code of Criminal Procedure, 1973).

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10. It is further claimed that despite approaching the authorities, no favourable action was taken on the requests of the Petitioner to de-freeze the accounts. Aggrieved, the present petition has been filed.

11. At this juncture it would be apposite to lay a glance at the *status report* filed by the Respondent No. 4 – Assistant Commissioner of Police, Central Cyber Cell.

12. Discernibly, the original complaint, as noticed from the status report, alleged that the amount had *inadvertently* been transferred to the recipient and that, despite requests, the amount had not been returned.

13. It is further noted that during the course of enquiry, the complainant was examined and thereafter, a supplementary complaint was submitted by the complainant, setting out "*a different factual version*" of the transaction, alleging that the complainant and her family had visited the business premises of Petitioner No.1 at Defence Colony in connection with purchase of raw gold as an investment; that Petitioner No. 1 had induced them to transfer ₹30,00,000/- on the representation that gold would be supplied and that neither the gold was supplied nor the money returned.

14. The status report further records that Petitioner No. 1 was examined during the enquiry and also furnished, *inter alia*, the Agreement to Sell, orders passed in the civil proceedings, the Settlement Deed dated 16.03.2026 and other material, including CCTV footage.

15. The investigating agency has also noticed that the complainant's original version and the version subsequently set out in the

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supplementary complaint are materially different. The original complaint proceeds on the premise that the amount of ₹30,00,000/- was *inadvertently* transferred, whereas the supplementary complaint alleges that the amount was transferred pursuant to an alleged transaction for purchase of gold.

16. Significantly, after considering the material placed before it, the investigating agency has itself recorded that the two versions are mutually contradictory and "*in view of the facts emerging during enquiry and the material placed on record* ***the dispute does not, prima facie, appear to disclose the ingredients of a cyber fraud***. It has further been recorded that "***it is an admitted position*** *that the disputed amount* ***was voluntarily transferred*** *through banking channels by the account holder herself or her family members*."

17. It is further stated that "***the respondent has no objection if the bank accounts of the petitioners are de-frozen.*** *However, it is further submitted that the disputed amount of Rs. 30,00,000/- may continue to remain on hold until completion of the enquiry, so as to safeguard the interests of all concerned parties."*

18. On being pointedly asked, that under which statutory provision the amount has been directed to be secured, no satisfactory response has been provided by the learned Counsel for the Respondent.

19. Though much reliance has been placed upon the directions passed by the Hon'ble Apex Court in Suo Moto Writ Petition (Crl.) No. 3/2025 titled *Re: Victims of Digital Arrest related to Forged Documents* and also the grievance redressal mechanism set out in Standard Operating Procedure (SOP) dated 02.01.2026 of Ministry of

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Home Affairs, the same, in the facts of the case, cannot aide the Respondent.

20. The guidelines or the cyber-fraud reporting mechanism and the administrative SOPs governing such mechanism are intended to facilitate prompt intervention in cases where a financial transaction results from *cyber fraud* and when there is a need for immediate coordination with banks and other financial institutions to prevent further dissipation of the funds.

21. The said mechanism is not never intended to be invoked as a means of undoing voluntary contractual transfers between known parties, particularly where such transactions have been acknowledged *inter partes* and form part of some dispute.

22. Once, the investigating agency has itself stated that the matter does not disclose the ingredients of *cyber fraud*; the amount was voluntarily transferred through banking channels; the parties are known to each other, and there is a background of civil litigation between them, this Court is of the view that, in the facts of the present case, permitting the continued freezing of the Petitioners' accounts in such circumstances would result in a private dispute between known parties being given the complexion of a cyber-fraud case.

23. Additionally, the SOP relied upon, itself provides, under *Section III – 10.2* relating to *grievance redressal mechanism*, that, "*In cases of grievances related to suspension of digital banking services or seizure of accounts or any other property on the basis of information received on the NCRP-CFCFRMS portal that the following procedure will be followed : (a) Directions for seizure of*

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bank accounts or suspension of digital services shall be given under Section 106 of the BNSS or any other extant laws….”. It is not denied by the respondent that no order under Section 106 of the BNSS (Section 102 of the CrPC) has been passed to impede petitioners from operating the bank accounts.

24. Consequently, in view of the foregoing, without expressing any opinion on the rival factual claims, the freeze/lien imposed on the concerned Accounts hereby stands lifted.

25. Needless to state, this Court is conscious of the need for prompt intervention in genuine cyber-fraud cases and the present order should not be construed as diluting the efficacy of the cyber-fraud reporting mechanism or the guidelines/SOPs governing such cases. The present directions are passed only considering that the investigating agency itself does not regard the material as *prima facie* constituting cyber fraud and as per their own enquiry the transactions have been found to be related to a private civil dispute.

26. However, it is clarified that the present order shall not preclude the investigating agency or any other competent authority from taking such action as may otherwise be permissible in law, in accordance with the appropriate statutory procedure, if the same is considered necessary for the purposes of any investigation or proceedings.

27. As regards the prayer seeking quashing of the NCCRP complaint itself, the complaint contains allegations which have resulted in an enquiry, and the rival versions of the parties raise factual issues which cannot appropriately be conclusively determined in the present proceedings. The allegations contained therein and the

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rights and remedies of the parties in respect of the underlying transaction are therefore left open.

28. The parties shall also remain at liberty to avail of their remedies in respect of the underlying civil/commercial dispute in accordance with law.

29. The petition, along with the pending applications, is accordingly disposed of in the aforesaid terms.

AMIT MAHAJAN, J

NOVEMBER 17, 2026
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