



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 24589 of 2026

Ayush Bajpai

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s) : Archit Mishra, Saurabh Chaturvedi
Counsel for Respondent(s) : C.S.C.

Court No. - 64

HON'BLE J.J. MUNIR, J.
HON'BLE ARUN KUMAR, J.

Some Establishment, described as Cyber Cell, Uttar Pradesh Police, has been reported by the Branch Manager, State Bank of India, Krishna Nagar Branch, Kanpur to have frozen the petitioner's account due to some fraudulent transactions.

For one, it is settled by two Division Bench decisions of this Court in the cases of **Khalsa Medical Store through Prop. Yashwant Singh Vs. Reserve Bank of India through Governor and 3 others reported in 2026:AHC-LKO:3701-DB** and **Marufa Begum Vs. Union of India and 5 others reported in 2025:AHC:190289-DB** that on account of a fraudulent transaction the Cyber Cell cannot freeze the entire Bank Account except that which is the proceeds of suspicious transaction or a crime.

The other aspect, in this case, is that the petitioner is an Advocate. He can be paid his fee by the Government, by a respectable man or a man who is not so respectable. An Advocate could be defending an accused who is indeed involved in a big scam or fraud but when fee is remitted by such an accused to his learned Counsel in account the money cannot be said to be proceeds of crime. It is the lawful remuneration of the learned counsel

which would be duly earned after the engagement is discharged. If for the remittance of any sum of money, an Advocate's account is frozen describing it as a cyber fraud or the money as proceeds of a cyber fraud or other crime it could become very difficult for Advocates to discharge their professional duties under the Advocates Act. The functioning of the Court itself would be embarrassed.

Let the Additional Chief Secretary (Home), U.P., Lucknow file his own affidavit within two weeks on the issue indicating how seizure of an Advocate's account, made by sundry officers of the Police, is to be dealt with so as not to interfere with dispensation of justice itself in Courts. It would be quite a different matter, if an Advocate is himself involved in a criminal offence and has credits of money to his account that are proceeds of his own crime.

We record in this case that the account involved here has modest credits of sums of Rs. 20,000/- on 18th March, 2026, Rs. 3,700/- on 23rd April, 2026 and two other credits of Rs. 3,700/- on 23rd April, 2026. The total balance in the petitioner's account is a sum of Rs. 103071/-.

Issue notice.

Notice on behalf of respondent nos. 1 & 3 is accepted by learned Standing Counsel.

Steps to serve the respondent no. 2 shall be taken by R.P.A.D., by Monday.

Apart from the personal affidavit required to be filed by the Additional Chief Secretary (Home), U.P., Lucknow, the respondents will file their counter affidavits within two weeks.

Lay as **fresh** on **17.07.2026**.

The Registrar (Compliance) is directed to communicate this order to the Additional Chief Secretary (Home), U.P., Lucknow and the Cyber Cell, Uttar Pradesh Police through the learned Chief Judicial Magistrate, Lucknow as well as the Branch Manager, State Bank of India, Krishna Nagar Branch, Kanpur through the learned Chief Judicial Magistrate, Kanpur Nagar **by Monday next**.

(Arun Kumar,J.) (J.J. Munir,J.)

June 25, 2026
Ranjeet Sahu