



NC: 2026:KHC:7876
WP No. 9877 of 2022
C/W WP No. 9654 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MRS. JUSTICE M G UMA

WRIT PETITION NO. 9877 OF 2022 (GM-RES)

C/W

WRIT PETITION NO. 9654 OF 2022 (GM-RES)

IN WP NO. 9877/2022

BETWEEN:

GREENS FARM TECH PVT. LTD.,
A COMPANY INCORPORATED
UNDER THE COMPANIES ACT, 1956,
HAVING ITS REGISTERED OFFICE AT,
NO.325/1, RMV EXTENSION,
5TH CROSS, 14TH MAIN,
SADASHIVA NAGAR
BENGALURU - 560 080
REPRESENTED BY RESOLUTION
PROFESSIONAL, MR. JUGRAJ SINGH BEDI,
REG NO. IBBI/IPA-01/IP-P00731/2017-18/11208
APPOINTED VIDE ORDER DATED 20.02.2020
BY THE HONBLE NATIONAL COMPANY
LAW TRIBUNAL, BENGALURU

...PETITIONER

(BY SRI. SRINANDAN K., ADVOCATE)

AND:

1. THE COMPETENT AUTHORITY
THE ASSISTANT COMMISSIONER
OF POLICE, BENGALURU SOUTH
SUB DIVISION, KANDAYA BHAVAN
K G ROAD, BENGALURU - 560 009
2. THE DEPUTY COMMISSIONER OF POLICE
BENGALURU SOUTH JAYANAGAR SUB DIVISION
SOUTH END ROAD, NEAR SREE CHARAN BANK
GUPTA LAYOUT, JAYANAGAR, BENGALURU





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KARNATAKA - 560 070

3. INSPECTOR OF POLICE
BASAVANAGUDI POLICE STATION,
BENGALURU CITY, K.R. ROAD
NEAR KRISHNA RAO PARK,
BASAVANAGUDI, BENGALURU-560004
4. KARNATAKA BANK LTD,
H-59, BLOCK H, KIRTI
NAGAR, NEW DELHI - 110 015

...RESPONDENTS

(BY SMT. SOWMYA R., HCGP FOR R1-3
R4 SD AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, 1950 READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, 1973 PRAYING TO QUASH ONLY THE CONDITIONS GIVEN IN THE ORDER DTD 23.02.2022 PASSED IN CR.NO.90/2019 BY THE HONBLE PRINCIPAL DISTRICT AND SESSIONS JUDGE VIDE ANN-X-A AND CONSEQUENTLY DIRECT THE RESPONDENTS TO DE-FREEZE THE BANK ACCOUNT BEARING NO.9082000100017501, MAINTAINED AT KARNATAKA BANK, MANASAROVAR GARDEN BRANCH, DELHI WITHOUT ANY CONDITIONS. AND ETC.,

IN WP NO. 9654/2022

BETWEEN:

KASATA HOMETECH (INDIA) PVT LTD
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956,
HAVING ITS REGISTERED OFFICE
AT NO.5, CASE BLENCHÉ,
DESTINATION ARCHITECTURE,
PLOT NO.45, SECTOR 11,



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CBD BELAPUR, NAVI MUMBAI
THANE - 400 614, REPRESENTED
BY RESOLUTION PROFESSIONAL
MR. JUGRAJ SINGH BEDI
REG.NO.IBBI/IPA-01/IP-P00731/2017-18/11208
APPOINTED VIDE ORDER DATED 11-08-2021
BY THE HONBLE NATIONAL COMPANY
LAW TRIBUNAL, MUMBAI.

...PETITIONER

(BY SRI. SRINANDAN K., ADVOCATE)

AND:

1. THE COMPETENT AUTHORITY
THE ASSISTANT COMMISSIONER
OF POLICE, BENGALURU SOUTH
SUB DIVISION, KANDAYA BHAVAN
K G ROAD, BENGALURU - 560 009
2. THE DEPUTY COMMISSIONER OF POLICE
BENGALURU SOUTH JAYANAGAR SUB DIVISION
SOUTH END ROAD, NEAR SREE CHARAN BANK
GUPTA LAYOUT, JAYANAGAR, BENGALURU
KARNATAKA - 560 070
3. INSPECTOR OF POLICE
BASAVANAGUDI POLICE STATION,
BENGALURU CITY, K.R. ROAD
NEAR KRISHNA RAO PARK,
BASAVANAGUDI, BENGALURU-560004
4. ICICI BANK, VADODRA
#42, HARIBHAKTI SOCIETY
NEAR CHAKLI CIRCLE,
'OLD PATRA ROAD,
VADODRA, GUJARAT-390 007.

...RESPONDENTS

(BY SMT. SOWMYA R., HCGP FOR R1-3
R4 SD AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA, 1950 READ WITH SECTION 482



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OF THE CODE OF CRIMINAL PROCEDURE, 1973 PRAYING TO QUASH ONLY THE CONDITIONS GIVEN IN THE ORDER DTD 23.02.2022 PASSED IN CR.NO.90/2019 BY THE HONBLE PRINCIPAL DISTRICT AND SESSIONS JUDGE VIDE ANNEX-A AND CONSEQUENTLY DIRECT THE RESPONDENTS TO DE-FREEZE THE BANK ACCOUNT BEARING NO. 184105000026, MAINTAINED AT ICICI BANK AND GOTRI BRANCH, VADODARA WITHOUT ANY CONDITIONS AND ETC.,

THESE WRIT PETITIONS, COMING ON FOR PRELIMINARY HEARING - B GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE M G UMA

COMMON ORAL ORDER

The petitioners - Greens Farm Tech Pvt. Ltd. in W.P.No.9877 of 2022 and Kasata Hometech (India) Pvt. Ltd. in W.P.No.9654 of 2022 represented by Resolution Professional- Mr. Jugraj Singh Bedi filed these petitions, seeking issuance of Writ in the nature of Certiorari to set aside condition Nos.2 and 3 imposed in the order dated 23.02.2022, in Crime No.90/2019 of Basavanagudi Police Station by the learned Principal City Civil and Sessions Judge at Bangalore, registered for the offences punishable under Sections 406 and 420 of Indian Penal Code (for short, 'IPC') while defreezing bank account



maintained at Karnataka Bank, Manasarovar Garden Branch, Delhi.

2. Heard Sri Srinandan K., learned counsel for the petitioners and Smt. Sowmya R. learned HCGP for respondent Nos.1 to 3. Respondent No.4 though he was served with notice, has remained unrepresented. Perused the materials on record.

3. Learned counsel for the petitioner contended that there were several complaints against the petitioners' company and few of the complainants have approached National Company Law Tribunal, Bengaluru (for short, 'NCLT') alleging various fraudulent acts. Considering the contentions taken by the complainants before NCLT, it has passed an order dated 20.02.2020 appointing Mr.Jugraj Singh Bedi-the petitioner herein as 'Resolution Professional'. It is the duty of the Resolution Professional to consider revival of the company by any possible ways and to report to NCLT about any fraudulent activities that was undertaken by the company in the light of the allegations made by the complainants and also to recommend liquidation of the company, if the same could not be revived. Therefore, it is the contention of the petitioner that



the Resolution Professional appointed by NCLT who is representing the petitioner company is a Court Commissioner, to take care of the Company against which several allegations are made. As part of his effort to revive the company, the Resolution Professional opened an interim account with Karnataka Bank Manasarovar Garden Branch, Delhi to have the transactions during the pendency of the matter before NCLT.

4. It is contended by the learned counsel for the petitioner that, one of the complainants before NCLT has filed the criminal complaint with Basavanagudi Police alleging commission of the offences punishable under Sections 406 and 420 of IPC. Accordingly, the FIR in Crime No.90/2019 came to be registered. The Investigating Officer during investigation, froze the bank account opened by the Resolution Professional held with Karnataka Bank, Manasarovar Garden Branch, Delhi. The Resolution Professional representing the company moved an application under Sections 451 and 457 of Cr.PC seeking defreezing of the bank account. The learned Sessions Judge allowed the said application, defrozeed the account, but imposed the conditions to execute the Indemnity Bond and Surety Bond for the amount standing in the account as on the



date when the account was freezed and to offer bank guarantee. It also directed the applicant who is the Resolution Professional to undertake to make good the amount in the event of the applicant being found liable to pay the said amount and to abide by the order of the Court. Being aggrieved by the condition Nos.2 and 3 imposed by the learned Sessions Judge, the petitioner is before this Court.

5. According to the learned counsel for the petitioner, since the Resolution Professional is appointed by NCLT to take care of the Company, the petitioner has opened the interim bank account with Karnataka Bank, Manasarovar Garden Branch, Delhi, which was freezed by the Investigating Officer. The Court has rightly defreezed the account, but imposed condition Nos.2 and 3 which are not possible to be complied with since the Resolution Professional is the Court Commissioner for all practical purposes and he will act as per the directions of NCLT. Hence, prays for setting aside condition Nos.2 and 3.

6. Learned High Court Government Pleader, on instructions submits that condition No.1 imposed by the learned



Sessions Judge could be complied by the petitioner without any difficulty. However, she fairly concedes that condition Nos.2 and 3 could be relaxed as the application was moved on behalf of the Company by the Resolution Professional who acts as a Commissioner, as per the directions of the NCLT. Hence, prays for passing appropriate orders.

7. In view of the rival contentions urged by the learned counsel for both the parties, the point that would arise for my consideration is:

"Whether the petitioners have made out any grounds to allow the petitions as prayed in these petitions?"

My answer to the above point is in the 'Affirmative' for the following:

REASONS

8. It is not disputed that the petitioner Company moved these petitions represented by Resolution Professional Mr.Jugraj Singh Bedi who is appointed as per the order dated 20.02.2022 passed by the NCLT, Bengaluru Branch. The order states that Mr.Jugraj Singh Bedi is appointed as the Interim



Resolution Professional (IRP) to conduct the Corporate Insolvency Resolution Process (CIRP) in respect of Corporate Debtor namely M/s. Greens Farm Tech Private Limited and Kasata Hometech (India) Pvt. Ltd., to carry out the functions as mentioned under the I & B Code, 2016 and the Rules framed by the IBBI from time to time. Therefore, I do find considerable force in the contentions taken by the learned counsel for the petitioner that he acts as a Commissioner appointed by NCLT in the form of Resolution Professional.

9. The Court while defreezing the account directed the Resolution Professional who is representing the Company to execute the Indemnity Bond, to offer bank guarantee and also to undertake to make good the amount in the event he is found liable to pay the same. Since the Interim Resolution Professional is appointed by NCLT and it is stated that as part of his duty, he has opened the bank account with Karnataka Bank, Manasarovar Garden Branch, Delhi, and that the Resolution Professional is duty bound to comply with the directions issued by NCLT to revive the company, to report regarding any fraud that is committed by the company or to suggest to liquidate the company if the same could not be



revived, I am of the opinion that condition Nos.2 and 3 imposed by the Court below is not be relevant to the present case.

10. Under given facts and circumstances, I deem it appropriate to direct the Resolution Professional representing the petitioner companies to give an undertaking before the learned Sessions Judge that he will abide by the directions given by NCLT and discharge his duties strictly in accordance with law in maintaining and operating the bank account concerned, which will definitely take care of the interest of the Investigating Officer / Prosecution.

11. In view of the above, I answer the above point in the 'affirmative' and proceed to pass the following:

ORDER

- i) The Writ Petitions are **allowed**.
- ii) Condition Nos.2 and 3 imposed vide order dated 23.02.2022 passed in Crime No.90/2019 of Basavanagudi Police Station, Bengaluru by the learned Principal District and Sessions Judge, Bengaluru, is set aside.



iii) Instead the applicant who is representing the petitioners in these petitions shall file an undertaking before the Sessions Court, declaring that he is acting as per the directions of the National Company Law Tribunal, Bengaluru, as per its order dated 20.02.2020 and that he will abide by the directions and the conditions that will be passed by the NCLT and that he will discharge his duties strictly in accordance with law in the matter of maintaining and operating the bank account concerned.

The moment the applicant representing the petitioners submits such an undertaking before the learned Sessions Judge, the bank account concerned shall be defrozeed, forthwith.

SD/-
(M G UMA)
JUDGE

MKM
CT:VS
List No.: 1 Sl No.: 11