

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 4000/2026

Mohammad Aabid Samariya S/o Mohammad Sabir Samariya,
Aged About 21 Years, Resident Of Opp. Badi Masjid, Bamba
Mohalla, Jodhpur.

-----Petitioner

Versus

1. Kotak Mahindra Bank, Jodhpur Through Its Branch Manager, Jodhpur.
2. The Inspector General Of Police, Cyber Crime, Gorakhpur, Uttar Pradesh.
3. The Inspector General Of Police, Cyber Crime, Tamil Nadu.

-----Respondents

For Petitioner(s) : Mr. Abhinav Jain

For Respondent(s) : --

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/02/2026

1. The instant writ petition under Article 226 of the Constitution of India has been filed by the petitioner seeking the following reliefs:-

"It is, therefore, most humbly and respectfully prayed that the present petition for writ may kindly be allowed and by an appropriate writ, order or direction:-

A]. Quash and set aside the Letter/Complaint (Annexure-2) issued by the non-petitioners freezing the Bank Account no. 6051471356 of the Petitioner, maintained at Non-Petitioner no. 1 Bank; and

BJ. The Non-Petitioner no. 1 Bank be directed to unfreeze the Bank Account no. 6051471356 of the Petitioner, maintained at Kotak Mahindra Bank, Jodhpur forthwith; and

C]. Any other order or direction the Hon'ble Court deems just and proper in the facts and circumstances of the case be made in favour of the petitioner."

2. Having considered the facts and circumstances of the case, this Court deems it just and proper to dispose of this writ petition with a direction to the Kotak Mahindra Bank (Respondent No.1) to

keep the disputed amount (the amount which was transferred illegally in the bank account of the petitioner) frozen and allow the petitioner to make transactions from his bank account from the remaining balance.

3. It is further made clear that in case, the respondent – Bank has not received the information regarding the exact figure of the disputed amount, which the Investigating officer/Police alleges to be receipt(s) of the offence, the bank shall send a communication to the concerned Investigating officer/Police, to indicate the amount to be earmarked for lien, while endorsing a copy of the instant order.

4. Upon receipt of such communication/letter, the concerned Investigating officer/Police shall be under an obligation to apprise the respondent - Bank about the amount to be kept in lien, within a period of seven days of receiving the communication from the respondent - Bank. The respondent – bank shall thereafter do the needful as directed herein above.

5. It is further made clear that in case, the respondent-Bank does not receive any reply from the concerned Investigating officer/Police, then it shall be duty bound to act in accordance with the instant order.

6. Stay petition as well as all pending application, if any, stand disposed of.

(KULDEEP MATHUR),J