HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 4048/2026

Mahendra S/o Gopal Sharma, Aged About 24 Years, R/o Purohito Ka Bas, Village Feench, Tehsil Luni, District Jodhpur.

----Petitioner

Versus

1. State Of Rajasthan, Through Director General Of Police, Police Directorate, Jaipur, Rajasthan.
2. Director Representative Of National Cyber Crime Reporting Portal, National Highway-8, Mahalipur, New Delhi Pin 110037.
3. Bank Of India, Through Its Branch Manager, Boranda, District Jodhpur.
4. Manager, Bank Of India, Head Office, C-5, Bandra Kurla Complex Rd, Bandra Kurla Complex, Bandra East, Mumbai, Maharashtra.

----Respondents

For Petitioner(s)	:	Mr. Pradhyuman Singh Shekhawat for Mr. Vijay Gaur
For Respondent(s)	:	--

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

24/02/2026

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 humbly prayed that the present Civil Writ Petition may kindly be allowed and by an appropriate, order or direction:-*
> *(1). By the issuance of an appropriate writ, order or direction the impugned action of the respondent bank and the respondent investigation agency and unconstitutional, Consequently, the same may be quashed, set aside and rendered null and void in the interest of justice.*
> *(2). By an appropriate writ, order or direction, the respondent may kindly be directed to de-freeze the account of petitioner and release the hold amount of the petitioner with immediate effect.*

(3). By an appropriate writ order or direction, the respondent may kindly be directed to not freeze the bank account of the Petitioner in future without prior notice.
(4). Any other order or direction which this Hon'ble Court deems just and proper may kindly be passed 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 Bank Of India (Respondent No. 3 and 4) 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

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