

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

S.B. Civil Writ Petition No. 5329/2026

M/s. Rk Traders, Through Its Proprietor Budha Ram Gurjar S/o
Sukha Dev Gurjar, Aged About 34 Years, R/o Jawla, Nagaur,
Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary,
Department Of Finance, Secretariat, Jaipur.
2. Reserve Bank Of India, Through Its Regional Director,
Jaipur.
3. Hdfc Bank Limited, Through Its Branch Manger, Vaisali
Nagar Ajmer, Hdfc Bank Ltd, Rajasthan Patrika Building,
Vaishali Nagar, Ajmer, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Priyank Kewaliya
For Respondent(s)	:	--

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

09/03/2026

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 Writ Petition may kindly be allowed and by an appropriate, order or direction-

(i) Issue a writ of Mandamus or any other appropriate writ directing the Respondent Bank to immediately defreeze/unblock the Petitioner's Bank Account No. 50200085440813 with HDFC Bank Limited, Branch: Vaishali Nagar-Ajmer, Ajmer, (Rajasthan), (Annexure-2)

(ii) Direct the Respondent Police Authorities to issue "No Objection" for the defreezing of the account, as the petitioner is not the accused in the alleged frauds.

(iii) Declare the action of freezing the account as illegal, arbitrary and unconstitutional, being violative of the petitioner's fundamental and statutory rights.

(iv) Direct the respondents not to freeze or restrict the petitioner's account in future except in strict compliance with statutory provisions and only upon due notice to 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 HDFC Bank Limited (Respondent No.3) 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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