

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

S.B. Civil Writ Petition No. 6659/2026

Manisha Manjul D/o Sh. Mithilesh Kumar, Aged About 30 Years,
R/o Loknath Nagar, Bagdora, Dumriguri, Dakshin Bagdora,
Darjeeling, West Bengal, 734014

-----Petitioner

Versus

1. Icici Bank, Through Its Branch Manager, Icici Bank, Lower Bagdogra, Darjeeling, West Bengal.
2. State Of Rajasthan, Through Director General Of Police, Police Directorate, Jaipur, Rajasthan.
3. Sho Police Station Saraswati Nagar, Jodhpur

-----Respondents

For Petitioner(s) : Mr. Sahajveer Baweja

For Respondent(s) : Mr. Arpit Mehta

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

05/05/2026

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 your Lordship may be please to allow this writ petition and by issuance of an appropriate writ, order or direction, may further be pleased to-

- I. Issue a writ of the nature of Mandamus or any other appropriate writ, order or direction to the Respondent Bank to immediately de-freeze/un-freeze the account of the petitioner namely Manisha Manjul, bearing Account No. 255001503411, IFSC Code: ICIC0002550 at ICICI Bank, Lower Bagdogra, Darjeeling, West Bengal.,*
- II. Direct the Respondent Bank to provide written reasons for the freezing of the account and any communication received from Cyber Crime authorities if any; and,*
- III. Declare that the action of the Respondent Bank is arbitrary, illegal, and violative of Article 14, 19(1)(g), and 300A of the Constitution of India; and,"*

2. Heard learned counsel for the parties.

3. Learned counsel for the petitioner submits that the petitioner's ICICI Bank account was frozen pursuant to a cyber complaint concerning a cryptocurrency transaction. Despite repeated requests and a legal notice, the bank has not furnished any details or supporting documents. It is further alleged that an amount of ₹1.63 lakh was debited with the remark "court order," without any such order being disclosed to the petitioner. It is contended that since the disputed amount has already been reversed, the continued freezing of the account is arbitrary, unjustified and liable to be set aside.

4. *Per contra*, learned counsel for the respondent – Bank submits that the petitioner's account was frozen pursuant to a notice under Section 91 of CrPC dated 26.02.2024 issued by the Assistant Commissioner of Police, Jodhpur East, in connection with Cyber Case No. 06/2023. The bank was directed to freeze the account and later, as per a subsequent communication dated 27.03.2024 and the order of the learned Chief Metropolitan Magistrate, Jodhpur vide communication dated 22.03.2024, it transferred ₹1,63,909/- to the complainant's account on 04.04.2024. It is further stated that no instruction has been received to de-freeze the petitioner's account, and hence it continues to remain frozen.

5. Having considered the rival submissions and the material placed on record, this Court finds that amount alleged to be in dispute has already been deducted from the petitioner's account

and transferred to the complainant pursuant to the directions of the competent authority. In such circumstances, no purpose would be served by continuing debit freeze on the petitioner's bank account.

6. This Court is of the considered view that once the entire disputed amount has already been transferred, the continued freezing of the petitioner's bank account is unwarranted and disproportionate, particularly in the absence of any further subsisting direction from the investigating agency or any competent court.

7. Accordingly, the respondent Bank is directed to de-freeze the petitioner's bank account bearing No.255001503411 (ICICI Bank, Lower Bagdogra, Darjeeling, West Bengal) forthwith and thereby, permitting the petitioner to operate the account without any restriction.

8. It is, however, made clear that in the event any further lawful direction is issued by a competent court or investigating agency in accordance with law, it shall be open to the respondent Bank to act upon the same.

9. With the aforesaid observations and directions, the writ petition stands disposed of.

10. Stay petition as well as all pending application(s), if any, shall also stand disposed of.

(MUKESH RAJPUROHIT),J