

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

S.B. Civil Writ Petition No. 6865/2026

M/s The Family Restaurant, Proprietor Vinod Kanwar W/o Shri Kuldeep Singh, Aged About 38 Years, Resident Of Z.d.s_ 15, B.j.s. Colony, Rto Office Marg, Jodhpur, Rajasthan.

-----Petitioner

Versus

1. Union Of India, Through Ministry Of Home Affairs Through Secretary, Address_ North Block, Secretariat, Raisina Hill, New Delhi_110001
2. ICICI Bank, Through Its Manager, Address_ Plot No. 15/5, Veer Durga Das Colony, Paota C Road, Jodhpur, Rajasthan.
3. Cyber Crime Police Station, Chikkaballapura, M G Road, Chikkaballapura Town, Chikkaballapura 562101
4. Cyber Police Station P.s., Ahmedabad City Gujarat 380004

-----Respondents

For Petitioner(s) : Mr. Rajat Chhapparwal
Mr. B.R. Bishnoi

For Respondent(s) : --

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

28/03/2026

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, most respectfully prayed that the writ petition filed by the petitioner may kindly be allowed and
(i) By an appropriate writ, order or direction, the respondent may kindly be directed to de-freeze the bank account no. 682805500534 ICICI Bank through its Manager, address-Plot No. 15/5, Veer Durga Das Colony, Paota C Road, Jodhpur, Rajasthan Branch of the petitioner.
(ii) By an appropriate writ, order or direction, the respondent may kindly be directed to the lien mark

account to be de-freeze and whatever amount are required to be reconciliation and be settled as per the law and petitioner principal amount 1,57,800/- rupees to be settled and rest amount to be kept in my account.

(iii) By an appropriate writ, order or direction, the respondent may kindly be directed to the disputed amount 1350/- may hold and remaining amount of the account may kindly not be fridzed.

(iv) 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.

(v) By an appropriate writ, order or direction there respondents are directed to take cognizance in remitting the money back to the petitioner.

(iv) Any other order or direction, which this Hon'ble Court deem just fit and proper 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 ICICI Bank (Respondent No.2) 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 its 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

60-Arun/-