

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

S.B. Civil Writ Petition No. 14909/2025

Pankaj Lakhara S/o Shri Ratan Lal Lakhara, Aged About 34 Years, R/o Mansagar, West Pali, Mahamandir S.o. Jodhpur, Rajasthan, Pin -342006

-----Petitioner

Versus

1. State Bank Of India, Of Through Its Manager, Branch- State Bank Of India, Jodhpur Mandore Road, District- Jodhpur, Rajasthan.
2. The Station House Officer, West Cen Crime P.s., District- Bangalore City, Karnataka.
3. The Area Of Operation Centre Nodal Officer Of State Bank Of India, Jaipur, Tilak Marg, C-Scheme, Jaipur, Rajasthan, Pin 302005

-----Respondents

For Petitioner(s)	:	Mr. Leeladhar Mr. Kundan Singh Solanki
For Respondent(s)	:	-

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

27/08/2025

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

"A- It is, therefore, most respectfully and humbly prayed that your lordship may graciously be pleased to accept and allow this writ petition and:

B- By an appropriate writ, order or direction, the respondents may be directed to remove the freeze on the bank account and money of petitioner.

C- By an appropriate writ, order or direction, the complaint dated 31.07.2024 (Annexure- 3) by which the bank account of the petitioner was put on freeze may kindly be quashed and set aside to the extent of petitioner.

E- By an appropriate writ, order or direction, the respondents may kindly be directed to pay the 10%

interest per annum on the amount in the petitioner's account which has been put on freeze from the date of the freeze till the date of release.

F- By an appropriate writ, order or direction, the respondents may kindly be restricted from putting the bank account of the petitioner under freeze in future without any just reason and reasonable evidence against the petitioner of being involved in any cyber fraudulent activity.

G- Any other order which this Hon'ble court deems just and proper in the facts and circumstances of the case may also be passed in favour of the petitioner.

I- In the alternate, the petitioner prays that, the petitioner is ready to submit/give a bank guarantee of the disputed / fraudulent amount. (as claimed by respondent no. 2) in the bank. Hence, the respondents may kindly be directed to remove the freeze on the remaining amount of money in the bank account of the humble petitioner.

J-The cost of the writ petition may kindly be awarded 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 State Bank of India (Respondent Nos.1 and 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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