**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 1680/2026

Ghanshyam Das S/o Pitambar, Aged About 43 Years, Address - Ballabhgram, Alwar, Rajasthan - 301404.

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Home Affairs, Government Of Rajasthan, Secretariat, Jaipur - 302005
2. India Post Payments Bank, Through Its Branch Manager, Address - Moti Dungri Branch, Alwar, Rajasthan - 301002
3. Inspector Of Police, Police Station Maharajpur, Chattarpur, Madhya Pradesh Pradesh. Pin Code - 471501

----Respondents

For Petitioner(s)	:	Mr. Pushpendu Sharma
For Respondent(s)	:	Mr. Bhuwnesh Sharma, AAG with Ms. Sunita Meena

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HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI

Order

08/05/2026

1. The present writ petition has been filed with the following prayers:-

> *i) Issue a writ in the nature of Mandamus or any other appropriate writ, order or direction commanding the respondent-bank to immediately unfreeze the current account of the petitioner bearing Account No.046710118734 with India Post Payments Bank.*
>
> *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.*
>
> *iii) Declare that the action of the respondent Bank is arbitrary, illegal and violative of Articles 14, 19(1)(g), and 300A of the Constitution of India.*

iv) Award Costs of this petition in favour of the petitioner.
v) Pass such further or other orders as may be deemed just and proper in the facts & circumstances of the case.

vi) Any other appropriate order or direction which is deemed just and proper in the facts & circumstance by this Hon'ble Court may also be passed in favour of the petitioner's committee.

2. Learned counsel for the petitioner submits that the petitioner has never misused the aforesaid bank account for the purpose of illegal transactions and has not committed any cyber crime and has no relation whatsoever to the alleged fraudulent transaction(s). Counsel further submits that no notice or opportunity of hearing was given to the petitioner prior to seizure of his bank account and petitioner is ready & willing to co-operate with the Investigating Agencies and will appear before the Bank Authorities and the Investigating Agencies as and when called upon. Therefore, while the disputed amount which has been received in the petitioner's bank account may be frozen, the amount other than the disputed amount may kindly be allowed to be withdrawn and the petitioner may be allowed to operate and carry out the banking transactions from the said bank account.

3. Per contra, learned counsel for the respondent-Bank submits that the disputed amount i.e. Rs.1508/- and the bank account of the petitioner has been frozen strictly in compliance of financial cyber fraud complaint(s).

4. Learned counsel for the respondent-Bank further submits that the petitioner may be directed not to discontinue the bank account until the investigation is completed or the criminal case is decided.

5. Learned counsel for the respondent-State submits that as the petitioner is the beneficiary of an amount involved in a financial cyber fraud complaint and the investigation is undergoing, no interference is called for at this stage.

6. Heard learned counsel for the parties.

7. In view of the submissions so made, this Court is of the considered view that merely because a certain amount has been transferred to the petitioner's bank account in an alleged fraudulent transaction, the act of freezing the entire bank account and imposing complete restriction on banking transactions at this stage will seriously prejudice the rights of the petitioner. At the most, the Bank can keep a lien on the amount to the extent it relates to the alleged fraudulent transaction(s) credited in the petitioner’s bank account.

8. Consequently, this writ petition is disposed of with the following directions:-

i) The respondent – Bank shall de-freeze the bank account No.046710118734 of the petitioner maintained at India Post Payments Bank, Branch situated at Motidungri, Alwar, positively within a period of three days from the date of submission of certified copy of this order and the petitioner may be allowed to operate and carry out banking transactions in the said bank account over and above the disputed amount, in accordance with law. However, the disputed amount i.e., Rs.1508/- which have been credited in the petitioner’s bank account in connection with the alleged fraudulent transaction(s) shall remain frozen;

ii) The petitioner shall co-operate with the Bank Authorities and the Investigating Agencies and will appear before them, as and when required;

iii) The petitioner shall not close or discontinue the bank account till the Investigating Agencies and Bank Authorities permit the petitioner to do so;

iv) If the involvement of the petitioner is found in any illegal transaction(s), the petitioner shall be liable to pay amount involved in the aforesaid illegal transaction and will face inquiry/investigation as per law; and

v) The petitioner shall ensure that all the compliances required for maintaining and operating his bank account with the respondent – Bank are duly complied with.

vi)Needless to say, that this order has been passed only in the context of de-freezing of the bank account of the petitioner and in no manner is to be construed as any determination with respect to the merits of the financial cyber fraud complaint under question.

9. Pending application(s), if any, shall stand disposed of accordingly.

(VINOD KUMAR BHARWANI),J

SAURABH /100