HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 2230/2026

Kaduram Sharma S/o Babulal Sharma, Resident Of Kasba Sahar, Tehsil Nadoti, District Karauli Rajasthan.

----Petitioner

Versus

1. SBI Bank, Through Its Branch Manager, Branch Office At Nadoti, District Karauli (Rajasthan)
2. The Station House Officer, Police Station Chikkabalapura Rural, Chikkabalapura, Karnataka.

----Respondents

For Petitioner(s)	:	Mr. Govind Upadhyay Ms. Komal Shekhawat
For Respondent(s)	:	Ms. Nidhi Samodia with Mr. Vikas Samodia and Ms. Ayushi Jain for Ms. Suruchi Kasliwal

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

25/02/2026

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

> *"It is, therefore, humbly prayed that your Lordships may graciously be pleased to accept and allow this writ petition by calling the entire record and after perusal of the same:*
>
> *i) By appropriate writ, order, or direction the respondents may kindly be directed to unfreeze the SBI Bank Account No. 42439379532 Branch Nadoti, District Karauli (Rajasthan) of the petitioner, and further be directed not to mark lien on the aforesaid amount, and the petitioner be let free to use the same;*

ii) By appropriate writ, order or direction the respondents may be directed to pay the interest on the amount they have held without any reason at the rate of 15 percent per annum.
Iii) Any other appropriate order or direction which is deemed just and proper in the facts and 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).

3. Learned counsel also submits that the petitioner is ready and willing to co-operate with the Investigating Agencies and will appear before the Bank Authorities and the Investigating Agencies as and when called upon.

4. Therefore, learned counsel prays that while the disputed amount which has been received in the petitioner's account may be frozen, the amount other than the disputed amount may kindly be allowed to be withdrawn and the petitioner may be allowed to operate and carry out the banking transactions from the said bank account.

5. *Per contra*, learned counsel for the respondent – Bank submits that, as per the information received, the disputed amount credited in the petitioner's bank account is around Rs.8,000/- and Rs.8,350/- total amount being Rs.16,350/- and the bank account of the petitioner has been frozen in connection with on-going investigation in financial cyber fraud complaint.

6. 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.

7. Learned counsel for the petitioner agrees with the submissions made by learned counsel for the respondent – Bank.

8. Heard learned counsel for the parties.

9. 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.

10. Consequently, this writ petition is disposed of with a direction to the respondent – Bank to de-freeze the **bank account No.42439379532** of the petitioner maintained at the State Bank of India, Branch Nadoti, District Karauli, Rajasthan, 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.16,350/-** which has been credited in the petitioner’s bank account in connection with the alleged fraudulent transaction(s) shall remain frozen.

11. It is made clear that the petitioner will co-operate with the Bank Authorities and the Investigating Agencies and will appear before them as and when required. It is also ordered that the petitioner shall not close or discontinue the bank account till the Investigating Agencies and Bank Authorities permit the petitioner to do so.

12. It is further ordered that after investigation, if the involvement of the petitioner is found in any illegal transaction, the petitioner shall be liable to pay amount involved in the aforesaid illegal transaction and will face inquiry/investigation as per law.

13. 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.

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

(ANUROOP SINGHI),J

DIPESH CHAYAL /41