

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 2500/2026

Chandramohan Khandelwal S/o Kailash Chand, Aged About 50 Years, R/o 294 Dheemri Road Govt School, Tehsil Pahari, District Deeg, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Home, Secretariat, Jaipur (Raj.).
2. Axis Bank, Pahari, Tehsil- Nagar, District Deeg, Rajasthan Through Branch Manager.

-----Respondents

For Petitioner(s)

:

Mr. Sidharth Jain
Mr. Umang Jain

For Respondent(s)

:

Ms. Devakriti Vashishtha with
Ms. Sunita Meena for
Mr. Bhunesh Sharma, AAG
Mr. Shashi Bhushan Gupta

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

24/02/2026

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

"It is therefore, respectfully prayed that this writ petition may kindly be allowed with costs and this Hon'ble Court may be pleased to issue appropriate writ, order or direction in the nature thereof thereby;

1. Direct the respondents to immediately unfreeze the Petitioner bank account, Bearing, Account Number 923010009368966, maintained with Respondent No. 2, AXIS BANK, IFSC Code: UTIB0001249;
2. Declare the freezing of the petitioner's bank account without authority or due process of law

is illegal, arbitrary, and violative of Articles 14, 19(1)(g), and 21 of the Constitution of India;

3. *Pass any other appropriate order or direction which this Hon'ble Court may deem just and proper in the facts and circumstances of the present case, in the interest of justice."*

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in the petitioner's account may be frozen, the amount other than the disputed amount may kindly be allowed to be withdrawn and the petitioner may be allowed to operate and carry out the banking transactions from the said bank account.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 Rs.4065.88 and the bank account of the petitioner has been frozen by respondent No.2 – Bank, pursuant to complaints received from cyber cell.

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 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.

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

9. Heard learned counsel for the parties.

10. 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.

11. Consequently, this writ petition is disposed of with a direction to the respondent – Bank to de-freeze the **bank account No.923010009368966** of the petitioner maintained at Axis Bank, Pahari, Tehsil – Nagar, District Deeg, 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.4065.88** which has been credited in the petitioner's bank account in connection with the alleged fraudulent transaction(s) shall remain frozen.

12. 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.

13. 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.

14. 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.

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

(ANUROOP SINGHI),J