HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3046/2026

Aliya Chicken Suppliers, 1178, Opposite Hotel Noore, Opposite Masjid Qureshiyan, M.d. Road, Moti Doongri, Jaipur Through Proprietor Late Suhel Ahmed Son Of Jameel Ahmed, Resident Of 1286, Mardan Khan Ki Gali, M.d. Road, Adarsh Nagar, Jaipur, Rajasthan (Since Deceased) Through Nominee- Nazneen Wife Of Late Sohail Ahmed, Aged About 46 Years, Resident Of 1286, Mardan Khan Ki Gali, M.d. Road, Adarsh Nagar, Jaipur, Rajasthan.

----Petitioner

Versus

1. Indusind Bank, Through Branch Manager, Branch Raja Park, B-10-I, Govind Marg, Jaipur Metropolitan, Jaipur, Rajasthan.
2. Superintendent Of Police, Medinipur Kotwali, West Bengal.
3. S.h.o., Cyber Police Station, Kotwali Medinipur, West Bengal.

----Respondents

For Petitioner(s)	:	Mr. Bhaskar Sharma Mr. Mohammed Riyaz Khan Mr. Gaurav Sharma
For Respondent(s)	:	Ms. Neha Sharma for Mr. Vineet Sharma

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

26/02/2026

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

> *"It is, therefore, most respectfully prayed that this Hon'ble Court be pleased to allow this writ petition and be further pleased to:-*
> *(i) Issue a writ in the nature of Mandamus or any appropriate writ, order or direction commanding the Respondent to immediately unfreeze the Current*

Bank Account No. 201001382168 IFSC Code INDB0000278 of Indusind Bank, Branch Raja Park, Jaipur, holding the disputed amount of Rs.1754/- and permitted to operate the account of the petitioner.

(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 Article 14, 19(1)(g), and 300A of the Constitution of India.

(iv) Award costs of this Petition in favour of the petitioner.

(v) 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."

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.1,754/- 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. **201001382168** of the petitioner maintained at Indusind Bank, Branch Raja Park, Jaipur, 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.1,754/-** 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

JAYANT KUMAR /44