HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 5844/2026

Keshav Trading Company, Through Proprietor Ram Babu Garg, Addressed -Flat No. 45, Gulabi Nagar, Ajmer Road, Sodala, Jaipur, (Raj.).

----Petitioner

Versus

1. Regional Manager, Indian Overseas Bank, Branch - 11, M.I. Road, Jaipur-302001.
2. Reserve Bank Of India, 18Th Floor, Central Office Building Shahid Bhagat Singh Road, Mumbai-400001, Through Its Director.
3. Deputy Superintendent Of Police, State Cyber Crime Cell, Gandhinagar, Gujrat, State
4. D.I.G. Cyber Crime, State Cyber Crime Cell, Gandhinagar, Gujrat, State
5. Deputy Inspector General, Cyber Crime, Police Head Quarter, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Vikram Singh Bhati Mr. Virendra Singh Shekhawat
For Respondent(s)	:	Ms. Sunita Meena for Mr. Bhuwnesh Sharma, AAG

HON'BLE MR. JUSTICE ANUROOP SINGHI

<u>Order</u>

<u>20/04/2026</u>

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

> *"In view of the facts and circumstances stated hereinabove, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:*
> *a) Issue an appropriate writ, order or direction, including a writ of mandamus, quashing and setting aside the illegal action of respondent no.1 in freezing/ seizing the petitioner's current bank account 015802000004135, maintained with Indian Overseas Bank, Branch 11, M.I. Road, Jaipur- 302001.*

b) Direct the respondent no.1 to forthwith defreeze and restore full operation of the petitioner's aforesaid bank account, except to the extent of the disputed amount of Rs. 8,000/-, if so required in accordance with law.
c) Declare that the action of the respondents in freezing the entire bank account of the petitioner without notice or opportunity of hearing is arbitrary, illegal and violative of Articles 14, 19 and 21 of the Constitution of India.
d) Direct the respondents to act strictly in accordance with law and principles of natural justice and not to take any coercive action against the petitioner without due process
e) Pass any other order or direction which this Hon'ble Court may deem just and proper in the facts and circumstances of the case, in favour of the petitioner..
f) Award costs of the writ petition 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. None appears for the respondent-Bank.

6. Learned counsel for the respondent – State submits that the disputed amount credited in petitioner’s bank account is Rs.8,000/- and as the petitioner is the beneficiary of an amount involved in financial cyber fraud complaint(s) wherein the investigation is undergoing, no interference is called for at this stage.

7. Heard learned counsel for the parties. The relevant Bank account details involved in the present writ petition are as follows:

Name of the account holder	**Bank account number**	**Branch Address**
Keshav Trading Co.	015802000004135	Indian Overseas Bank, 11 MI Road, Jaipur, Rajasthan 302001

8. 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.

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

i) The respondent – Bank shall de-freeze the bank account **No.015802000004135** of the petitioner maintained at Indian Overseas Bank, 11 MI Road, Jaipur, Rajasthan 302001 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.8000/-** which has 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 its 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.

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

(ANUROOP SINGHI),J

DIPESH CHAYAL /47