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

S.B. Civil Writ Petition No. 6785/2026

Rohit Chouhan S/o Shri Rajesh Chouhan, Aged About 26 Years, Resident Of 62, Nahari Ka Naka, Tata Nagar, Shastri Nagar, Jaipur.

----Petitioner

Versus

1. The State Of Rajasthan, Through Director General Of Police, Police Directorate, Jaipur (Raj.).
2. The D.i.g. (Cyber Crime), Jaipur Rajasthan.
3. Bank Of Baroda, G-4-7, Krishan Kripa, Subhash Nagar, Jaipur Rajasthan Through Its Branch Manager.

----Respondents

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| For Petitioner(s) | : | Mr. Soham Sharma for<br>Mr. Govind Gupta |
| For Respondent(s) | : | Ms. Sunita Meena, AGC with<br>Ms. Devakriti Vashishtha, AAAG for<br>Mr. Bhuwnesh Sharma, AAG<br>Mr. Mohit Khandelwal |

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**HON'BLE MR. JUSTICE ANUROOP SINGHI**

**Order**

**28/04/2026**

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

> *"(i) By an appropriate writ, order or direction, respondents be directed to defreeze the saving account (bearing No. 77018100003779) of petitioner and further directed not to restrained or make any obstruction in use of accounts.*
>
> *(ii) Declare the action of the bank is arbitrary, illegal violation of article 14, 19(1)(g) and 300A of the Constitution of India;*
>
> *(iii) By an appropriate writ order or direction any other appropriate relief to which the petitioner is found entitled to may also kindly be granted in his favour.*

> *It is, therefore, humbly prayed that the Writ Petition may kindly be allowed as prayed hereinabove."*

**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in the petitioner's account may be frozen, the amount other than the disputed amount may kindly be allowed to be withdrawn and the petitioner may be allowed to operate and carry out the banking transactions from the said bank account.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 the disputed amount is Rs.1,000/- and the bank account of the petitioner has been frozen strictly in compliance of financial cyber fraud complaint(s).

**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. The relevant Bank account details involved in the present writ petition are as follows:

| **Name of the account holder** | **Bank account number** | **Branch Address** |
|---|---|---|
| Rohit Chouhan | 77018100003779 | Bank of Baroda, Subhash Nagar, Jaipur, Rajasthan |

**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 the following directions:-

i) The respondent – Bank shall de-freeze the bank account **No.77018100003779** of the petitioner maintained at Bank of Baroda, Subhash Nagar, Jaipur, Rajasthan, 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.1,000/-** 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 the 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.

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

**(ANUROOP SINGHI),J**

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