RAJASTHAN HIGH COURT

सत्यमेव जयते

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

S.B. Civil Writ Petition No. 7659/2026

Prithvi Raj Bairwa S/o Babu Lal Bairwa, Aged About 24 Years, R/o. Nand Kishore Ki Gali, Malviya Nagar, Jaipur, Rajasthan - 302017

----Petitioner

Versus

1. Managing Director/ Chairman, Punjab And Sind Bank, Head Office- 21, Rajendra Place, New Delhi-110008 Corporate Office- Nbcc Office Complex, Block 3, East Kidwai Nagar, New Delhi - 110023
2. Branch Manager , Punjab And Sind Bank, 43- 45, Vivek Vihar Colony, Jagatpura, Jaipur - 302017
3. Director, Reserve Bank Of India, Address - 18Th Floor, Central Office Building Shahid Bhagat Singh Road Mumbai-400001
4. Director General Of Police (Cyber Crime), Police Headquarters, Lal Kothi, Jaipur (Raj.) - 302015

----Respondents

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|---|---|---|
| For Petitioner(s) | : | Mr. Rohit Bharadwaj<br>Mr. Shubham Katta |
| For Respondent(s) | : | Ms. Sunita Meena and<br>Ms. Devakriti Vashishtha for<br>Mr. Bhuwnesh Sharma, AAG<br>Mr. Ashok Singh Shekhawat |

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

**<u>Order</u>**

**<u>28/04/2026</u>**

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

> *"It is therefore humbly prayed that your lordship will graciously be pleased to call for record, to examine the same and to appropriate writ, order or direction in the nature thereof:*
>
> *i. to direct respondent no. 1 and 2 to unfreeze*

> *the Bank Account no. 14051100000175, and IFSC Code PSIB0021405 of the Petitioner and to allow the Petitioner to access and operate the said bank account for legitimate purposes.*
>
> *ii. to declare the action of respondent bank of freezing the entire account as arbitrary and illegal and direct respondent no. 1 and 2 bank not to freeze the entire amount in garb of suspicious transaction in future also*
>
> *iii. to direct the respondent no. 1 and 2 bank not to cause any disturbance in use and transaction of the petitioner*
>
> *iv. to direct the respondent no. 3 and others to ensure that the respondent no. 1 and 2 bank does not create any hurdles or obstacles for the petitioner in operating the bank Account No. 14051100000175, IFSC Code PSIB0021405.*
>
> *v. to award cost.*
>
> *Any other order or direction which may deem fit and proper may kindly 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 the disputed amount is Rs.3,200/- 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** |
|---|---|---|
| Mr. Prathvi Raj Bairwa | 14051100000175 | Punjab and Sind Bank, Jagatpura, Jaipur-302017 |

**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.14051100000175** of the petitioner maintained at Punjab and Sind Bank, Branch situated at 43-45, Vivek Vihar Colony, Jagatpura, Jaipur-302017, 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.3,200/-** 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 his 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**

Tushar Kumawat/47