

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S. B. Civil Writ Petition No. 8286/2026
URN: CW / 18290U / 2026

Femiyash Son of Manoj Kumar, Aged about 18 years, Resident of
Purana Post Office Ke Pass, Ward No. 39, MO.Reraran, PO-
Jhunjhunu, Tehsil-Jhunjhunun, District- Jhunjhunu, Rajasthan -
333001

-----Petitioner

Versus

1. State of Rajasthan, through Principal Secretary,
Department of Home, Secretariat, Jaipur.
2. Kotak Mahindra Bank, through its Branch Manager, Kotak
Mahindra Bank, JK Plaza, Railway Station Road, Opposite
Laxmi Market, Subhash Chowk, Sikar, Rajasthan, 332001.
3. D.I.G. Cyber, Police Headquarters, Jaipur, Rajasthan,
302005

-----Respondents

For Petitioner	:	Mr. Avinash Fenin Advocate on behalf of Mr. Kamlesh Kumar Advocate.
For Respondents	:	Mr. Tanuj Gupta Advocate, Ms. Devakriti Vashishtha Advocate with Ms. Sunita Meena, Additional Government Counsel on behalf of Mr. Bhuwnesh Sharma Additional Advocate General.

HON'BLE MR. JUSTICE ANAND SHARMA

Judgment

03/07/2026

1. This writ petition has been filed by the petitioner
seeking issuance of directions against Respondent No. 2-Kotak
Mahindra Bank to defreeze his bank account and has made
following prayers:

"In view of the foregoing facts and circumstances, it is most respectfully prayed that this Hon'ble Court may be pleased to:

i. Issue an appropriate writ, order, or direction, declaring the action of the Respondent Bank in freezing the entire account of the Petitioner as illegal and arbitrary.

ii. Direct Respondent No. 3 (Kotak Mahindra Bank) to immediately defreeze/unfreeze the Bank Account No. 4053189958, maintained at Kotak Mahindra Bank, JK Plaza, Railway Station Rd, Opposite Laxmi Market, Subhash Chowk, Sikar, and restore full operational rights to the Petitioner.

iii. In the alternative, if any specific investigation is pending, direct the Respondent to restrict the lien/hold only to the extent of the disputed amount and strictly allow the Petitioner to operate the account for all funds.

iv. Pass such other or further orders as this Hon'ble Court may deem just, fit, and proper in the facts and circumstances of the case, in the interest of justice."

2. Facts of the case in brief are that the petitioner is bonafide holder of Bank Account No. 4053189958 (the said bank account shall be hereinafter referred to as '*the bank account in question*') maintained with Respondent No. 2-Kotak Mahindra Bank, JK Plaza, Railway Station Road, Opposite Laxmi Market, Subhash Chowk, Sikar. However, when the petitioner was not able to operate his bank account, he contacted bank officials and he was informed that the bank account in question has been freezed. The bank account in question has been freezed by the respondent-bank on account of alleged transactions of Rs. 5,066.77/- (the said amount shall be hereinafter referred to as '*the amount in question*'). The petitioner has not been served with any FIR or lawful directive which shows petitioner's involvement in any wrongful act. The petitioner made all endeavours to defreeze the bank account in question but he was unable to get any relief. Left with no other option, the petitioner has filed instant writ petition praying for the aforesaid relief.

3. Learned counsel for the parties are in agreement that the issue involved in the instant writ petition is no more *res-integra* and squarely covered by order dated 30.06.2026 passed by this Court in the case of **Jinat Bano vs. State Bank of India & Another (S.B. Civil Writ Petition No. 5036/2026)**.

4. The identical issue of freezing of bank account came up for consideration of this Court in the case of **Jinat Bano (supra)**, wherein after considering the rival submissions, writ petition was disposed of by this Court with following directions:

"(i) Respondent-bank shall forthwith remove the debit freeze/restriction imposed upon the bank account in question and permit the petitioner to operate the bank account in question in the ordinary course.

(ii) Respondent-bank shall, however, continue to maintain a lien or restraint only to the extent of the amount in question, which is alleged to be connected with the transaction under investigation and the petitioner shall not be entitled to withdraw, transfer or otherwise deal with the amount in question without permission of the competent authority.

(iii) The petitioner shall extend full cooperation to the investigating agency and appear before the concerned authorities as and when called upon to do so for the purpose of investigation.

(iv) The petitioner shall maintain the bank account in question in active status and shall not close, surrender or otherwise discontinue the same without prior intimation to and permission from the investigating agency till conclusion of the investigation.

(v) It is clarified that the present order shall not be construed as an expression on the merits of the allegations under investigation. The investigating agency shall remain at liberty to proceed in accordance with law and take such action as may be warranted on the basis of material collected during investigation.

(vi) In the event, the investigation ultimately reveals the petitioner's involvement in the alleged offence or establishes that the amount in question constitutes proceeds of the unlawful transaction, it shall be open for the competent authority to deal with the amount in question and take consequential action strictly in accordance with law.

(vii) It shall further be open to Respondent-bank and the investigating agency to deal with or transfer the amount in question in accordance with any lawful direction issued by the competent authority having jurisdiction in the matter."

5. Thus, in view of consensus arrived at between learned counsel for the parties, this petition is also disposed of in the same terms and with same directions as given by this Court in order dated 30.06.2026 passed in the case of **Jinat Bano (supra)**.

6. Pending applications, if any, shall also stand disposed of.

(ANAND SHARMA),J

MANOJ NARWANI/17