



2025:RJ-JP:45318

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 15103/2025

Hemant Singh Rathore S/o Bhanwar Singh Rathore

-----Petitioner

Versus

Indusind Bank & ors.

-----Respondent

For Petitioner(s) : Mr. Abhishek Dadhich
Mr. Gaurav Sharma

For Respondent(s) :

HON'BLE MR. JUSTICE SAMEER JAIN

Order

03/10/2025

Learned counsel for the petitioner has placed reliance upon the judgment rendered in **S.B. Civil Writ Petition No. 9953/2025** titled as **Akash vs. Bank of Baroda & Anr.** It is submitted that the Coordinate Bench of this Court, while considering the issue of freezing of a bank account in violation of Article 300-A and other fundamental rights as enshrined under the Constitution of India, was pleased to grant interim protection and dispose of the said matter.

In the considered opinion of this Court, it is an admitted position in the present petition that the proceedings and the consequent freezing of the petitioner's bank account have arisen from the action initiated by the City Crime Branch-respondents No. 2 to 4, on whose directions respondent No. 1 has effected the freezing of the said account.

This Court is of the view that the appropriate remedy in such circumstances would lie under Article 226 (Criminal) or Section



528 of the BNSS petition. Sitting on the civil side, this Court cannot adjudicate upon issues emanating from criminal proceedings. However, as the matter requires consideration let notices be issued to the respondents for petition as well as stay application.

Notices be served upon Shri Rajesh Choudhary, learned GA-cum-AAG during the course of the day.

List the matter on 16.10.2025, after reflecting the name of Mr. Rajesh Choudhary, GA-cum-AAG in the cause list as counsel for the respondents.

In the meantime, as the order passed by the Coordinate Bench (as relied by the learned counsel for the petitioner) has not rendered any observation on the aforesaid aspect, let the concerned AAG submit his response on behalf of the State with regard to the issue of freezing of the bank account.

(SAMEER JAIN),J