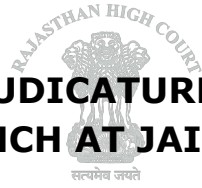




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 5477/2026

M/s Mr. Mobile, 33 B 1 Yojna Raghu Vihar Vistar, Golyawas Mansarovar, District Jaipur (Rajasthan) Through Its Proprietor And Owner Nitin Chandani Son Of Mahesh Kumar Chandani, Aged About 27 Years, Resident Of A-16, Shiv Shakti Nagar Iskon Road, Behind Shiv Mandir Mansarovar, District Jaipur (Rajasthan)

----Petitioner

Versus

- 1 State Of Rajasthan, Through Its Principal Secretary, Department Of Home, Secretariat, Jaipur (Rajasthan)
- 2 Hdfc Bank, Through Its Branch Manager, Branch Office Hdfc Bank Ltd, Ground Floor 69, 399, Madhyam Marg Mansarovar, District Jaipur (Rajasthan)
- 3 The Station House Officer, Police Station Narakal, District Ernakulam Rural (Kerala)
- 4 D.i.g., Cyber Crime, Police Head Quarters, Jaipur (Rajasthan)

----Respondents

For Petitioner(s) : Mr. Dheeraj Singhal
For Respondent(s) : Mr. Naman Yadav
Mr. Somitra Chaturvedi, DyGC

HON'BLE MR. JUSTICE ANUROOP SINGHI
Judgment / Order

15/04/2026

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

*"It is, therefore, most respectfully prayed that your lordships may be pleased to allow this writ petition with cost and this Hon'ble High Court may be pleased to issue an appropriate writ, order or direction and may further be pleased:-
(i) to direct the respondents to immediately unfreeze the petitioner's firm Bank Account bearing no. 50200099150260 IFSC Code HDFC0007041 maintained with respondent no. 2 HDFC Bank and further be direct not to mark lien on the aforesaid*





amount, and the petitioner's firm be let free to use the same without any hindrance or obstacles;
(ii) declare the freezing of the petitioner's firm bank account without authority or due process of law is holly illegal, arbitrary and violation of Articles 14, 19 (1) (g) and 21 of the Constitution of India;
(iii) to issue any other appropriate relief which this Hon'ble Court may deem fit, just and proper in the facts and circumstances of the case in favour of the petitioner;
(iv) to allow the cost 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. *Per contra*, learned counsel for the respondent – Bank submits that the disputed amount is Rs.1,77,758.39 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.

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.50200099150260** of the petitioner maintained at HDFC Bank, Branch situated at Ground Floor, 69,399, Madhyam Marg, Mansarovar, Jaipur-302020, 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.1,77,758.39** 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

RAVINDRA KUMAR /48

