

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

S.B. Civil Writ Petition.No. 1150/2026

Anil Kumar, S/o Mahaveer Prasad, Aged About 27 Years, Barwa,
Jhunjhunun, Rajasthan - 333304
----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department
Of Home Affairs, Government Of Rajasthan, Secretariat,
Jaipur 302005
2. Yes Bank, Through Its Branch Manager, Yes Bank,
Mansarovar, Jaipur, Rajasthan - 302020
----Respondents

For Petitioner(s) : Mr. Adarsh Singhal
Mr. Kuldeep Devra
For Respondent(s) : Mr. Jitendra Mishra

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

28/01/2026

1. Heard learned counsel for the parties.
2. The present writ petition has been filed with the following
prayers:

" It is, therefore, humbly prayed that yours Lordships may
graciously be pleased to accept and allow this writ petition by
calling the entire record and after perusal of the same :-

(i) Issue a writ in the nature of mandamus or any other
appropriate writ, order or direction commanding the respondent-
Bank to immediately unfreeze the current account of the
petitioner bearing account no. 103761900002378, held with
Indusind Bank.

(ii) Order that the respondent-Bank shall be at liberty to
transfer the amount to the original account from which it was
credited to the petitioner's account.

(iii) Direct the respondent-Bank to provide written reasons for
the freezing of the account and any communication received from
Cyber Crime authorities, if any.

(iv) Declare that the action of the respondent-Bank is arbitrary,
illegal, and violative of Articles 14, 19(1)(g), and 300A of the
Constitution of India.

(v) Award costs of this petition in favour of the petitioner.

(vi) Pass such further or other orders as may be deemed just
and proper in the facts and circumstances of the case.

(vii) Any other appropriate order or direction which is deemed
just and proper in the facts and circumstance by this Hon'ble
Court may also be passed in favour of the petitioner's committee."



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प्रशासनिक अधिकारी न्यायिक
राजस्थान उच्च न्यायालय पीठ,
जयपुर

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3. Learned counsel for the petitioner submits that the petitioner has never misused his bank account for the purpose of illegal transactions and has not committed any cyber crime. Learned counsel for the petitioner submits that the petitioner is ready and willing to cooperate with the Investigating Agencies and will appear before the Bank Authorities and the Investigating Agencies as and when called upon. He therefore prays that the disputed amount, which has been received in the petitioner's account, may be frozen, but that the amount other than the disputed amount may kindly be allowed to be withdrawn. He further prays that the petitioner may be allowed to operate his bank account for the transaction of money.

4. Per contra, learned counsel for the respondent-Bank submits that the bank account of the petitioner has been frozen in pursuance of the Notices received from Inspector of Police, Police Station Reinbazar, Hyderabad City, Telangana and Inspector of Police, Police Station Thrikkunnapuzha, Alappuzha, Kerala. Learned counsel for the respondent-Bank also submits that, as per information received, the disputed amount is around Rs.1,500/- and 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.

Learned counsel for the petitioner agrees with the submissions made by learned counsel for the respondent-Bank.

8. Having heard learned counsel for the parties and in view of the submissions so made, this Court is of the considered view that merely because certain amount has been transferred to the petitioner's bank account in spite of the fact that the petitioner is



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not involved in fraudulent transaction/illegal activity/or a cyber crime, the act of freezing of the entire bank account and imposing complete restriction on transactions is seriously prejudiced to the rights of the petitioner, at the most the bank can keep lien on the amount to the extent it relates to the receipt(s) of offense/disputed amount/amount credited. However, the respondent-Bank should allow the petitioner to operate their bank account over and above such amount in accordance with the law. Therefore, this writ petition is disposed of with a direction to the respondent-Bank to de-freeze the bank account No. 103761900002378 with Yes Bank, of the petitioner, and he may be allowed to operate transactions in his bank account, while freezing only the amount of Rs.1,500/-, which is allegedly involved in the alleged fraudulent transaction.

7. It is made clear that the petitioner will co-operate with the Bank Authorities and the Investigating Agencies and will appear before them as and when required. It is also ordered that the petitioner shall not close or discontinue his bank account till the Investigating Agencies and Bank Authorities permit the petitioner to do so. It is further ordered that, after the investigation, if the petitioner is found to be involved in any illegal transaction, he shall be liable to pay the amount involved in the illegal transaction and will face the enquiry/investigation as per law.

8. All other pending application(s), if any, shall stand disposed of accordingly.



सही-प्रतिलिपि
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Sd/
(MANÉESH SHARMA), J