

राजस्थान उच्च न्यायालय पीठ, जयपुर  
Certified Copy of Order Date ..... 28.11.26

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17/11/26

IN THE HIGH COURT OF JUDICATURE FOR  
RAJASTHAN AT JAIPUR BENCH, JAIPUR

S.B. CIVIL WRIT PETITION NO. .... 1184 ..... /2026

Ibrahim Rao s/o Rafik Rao, Age About 29 Years, Address: 95,  
Pushpa Marg Ramgarh Mod, Jaipur, Rajasthan - 302002.

----- PETITIONER

VERSUS

1. State of Rajasthan through the Secretary, Department of Home Affairs, Government of Rajasthan, Secretariat, Jaipur - 302005.
2. Hdfc Bank Ltd Through Its Branch Manager, Address: Hdfc Bank Ltd, Aluda House, House No. 1552-1553, Chaura Rasta, Jaipur, Rajasthan - 302003

-----RESPONDENTS

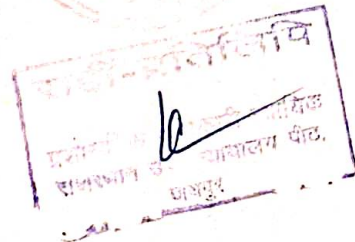
CIVIL WRIT PETITION UNDER ARTICLE 226 OF  
THE CONSTITUTION OF INDIA;

AND

IN THE MATTER OF ARTICLE 14, 19 & 21 OF  
THE CONSTITUTION OF INDIA;

AND

IN THE MATTER OF ILLEGALLY FREEZING OF  
BANK ACCOUNT OF THE PETITIONER,  
CHALLENGING THE ARBITRARY, UNLAWFULL  
AND UNCONSTITUTIONAL ACTION OF THE  
CYBER CRIME DEPARTMENTS, RESULTING IN  
SEVERE FINANCIAL HARDSHIP, DISRUPTION



SAJJAN KUMAR MEHTA  
OATH COMMISSIONER  
Rajasthan High Court Bench  
JAIPUR

इब्राहिम

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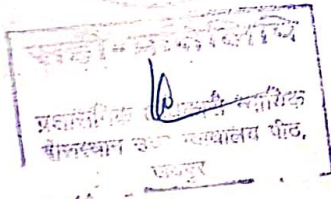
SEVERE FINANCIAL HARDSHIP, DISRUPTION  
OF BUSINESS ACTIVITIES AND VIOLATION OF  
PETITIONER FUNDAMENTAL RIGHTS.

AND

IN THE MATTER OF ILLEGALLY HOLDING THE  
FUNDS OF THE PETITIONER TO GAIN THEIR  
PROFIT AND CAUSING LOSS TO THE  
INNOCENT PETITIONER.

AND

IN MATTER OF PRINCIPLE OF THE NATURAL  
JUSTICE.



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

S.B. Civil Writ Petition No. 1184/2026

Ibrahim Rao S/o Rafik Rao, Aged About 29 Years, Address- 95,  
Pushpa Marg Ramgarh Mod, Jaipur, Rajasthan - 302002

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Home Affairs, Government Of Rajasthan, Secretariat, Jaipur - 302005.
2. Hdfc Bank Ltd, Through Its Branch Manager, Address- Hdfc Bank Ltd, Aluda House, House No. 1552-1553, Chaura Rasta, Jaipur, Rajasthan - 302003

----Respondents

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

For Respondent(s) : Mr. Naman Yadav

**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. 50100664709411, held with HDFC 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.

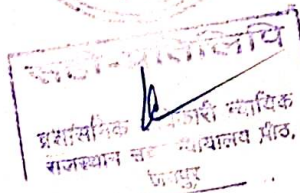
(iii) Direct the respondent-Bank to provide written reasons for the freezing of the account and any communication received from Cyber Crime authorities, if any.

(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."



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 Chowk Bazar, Surat City, Gujarat. Learned counsel for the respondent-Bank also submits that, as per information received, the disputed amount is around Rs.3,000/- 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.

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

6. 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



સાબરમતી જિલ્લા અધિકારી  
 પ્રશાસનિક કાર્યાલય  
 રાજકોટ જિલ્લા અધિકારી  
 રાજકોટ

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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. 50100664709411 with HDFC Bank, of the petitioner, and he may be allowed to operate transactions in his bank account, while freezing only the amount of Rs.3,000/-, 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.



(MANÉESH SHARMA), J