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सही पन्ना प्रतिलिपि आवरण
पत्र सं. 377 में कम आया
दिनांक. 30/04/26

प्रशासनिक अधिकारी न्यायिक
प्रतिलिपि विभाग
राजस्थान उच्च न्यायालय, जयपुर

संज्ञस्थान उच्च न्यायालय पीठ, जयपुर

Certified Copy of Order Dated... 28-1-2026

424
5/1/26

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

S.B. CIVIL WRIT PETITION NO. 133 /2026

Jagdish Prasad, s/o Prahlad Prasad Gupta, Age About 41
Years, 264, Vaish, Sabora, Bharatpur, Rajasthan - 321201.

----- 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, HDFC
BANK LTD, PLOT NO. BB 2, ADJOINING OLD PNB, MATSYA
INDUSTRIAL AREA, ALWAR, RAJASTHAN - 301001.

-----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



सही-प्रतिलिपि
प्रशासनिक अधिकारी न्यायिक
राजस्थान उच्च न्यायालय पीठ,
जयपुर

SAJIAN KUMAR MEHTA
C
Commissioner
High Court B
PUR

जगदीश

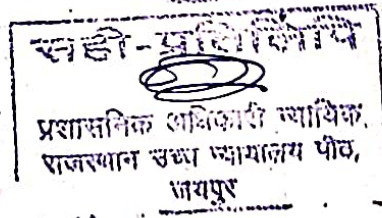
CYBER CRIME DEPARTMENTS, RESULTING IN SEVERE FINANCIAL HARDSHIP, DISRUPTION OF BUSINESS ACTIVITIES AND VIOLATION OF PETITIONER FUNDAMENTAL RIGHTS.

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.



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

S.B. Civil Writ Petition No. 133/2026

Jagdish Prasad, S/o Prahlad Prasad Gupta, Aged About 41 Years,
264, Vaish, Sabora, Bharatpur, Rajasthan - 321201.

----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, HDFC Bank Ltd, Plot No. Bb 2, Adjoining Old PNB, Matsya Industrial Area, Alwar, Rajasthan - 301001.

----Respondents

For Petitioner(s) : Mr. Adarsh Singhal with
Mr. Kuldeep Devra &
Ms. Shalu Kansal

For Respondent(s) : Ms. Devakriti Vashishtha, AAAG for
Mr. Bhunesh Sharma, AAG
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. 50100309028886, held with HDFC BANK LTD.

(ii) Order that the respondent-Bank shall be at liberty to transfer the amount to the original account from which it was credited to 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 circumstances by this Hon'ble Court may also be passed in favour of the petitioner's committee."



हस्ताक्षर-प्रतिलिपि
न्यायिक अधिकारी न्यायिक
जस्थान उच्च न्यायालय भौड,
जयपुर

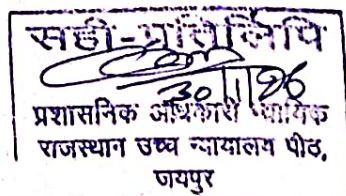
complete restriction on transactions is seriously prejudiced to the rights of the petitioner, at the most the bank can keep lien on the amount to the extent it relates to the receipt(s) of offense/disputed amount/amount credited. However, the respondent-Bank should allow the petitioner to operate their 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. 50100309028886 with HDFC Bank LTD., of the petitioner, and he may be allowed to operate transactions in his bank account, while freezing only the amount of Rs.4,514/-, 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.



DEEPA/RAHUL-29



(MANEESH SHARMA), J

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