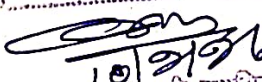




सही पाना प्रतिलिपि आवरण
 पत्र सं. 5239 काव आया
 दिनांक 10/02/26

 पशासनिक अधिकारी न्यायिक
 प्रतिलिपि विभाग
 राजस्थान उच्च न्यायालय, जयपुर

[2026:RJ-JP:6070]

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

S.B. Civil Writ Petition No. 1872/2026

Asha Jat D/o Shankar Lal Jat, Aged About 24 Years, Ward No. 01, Tol Tax Ke Pass Rajarampura, Vill - Rajarampura, Via - Jaitpura, Chetawala, Jaipur, Rajasthan - 303704 ----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Home Affairs, Government Of Rajasthan, Secretariat, Jaipur - 302005
2. AU Small Finance Bank, Through Its Branch Manager, Au Small Finace Bank, Shop No. 1 To 3 And 13 To 15, Basant Plaza, Morija Rd, Near Krishi Mandi, Gurudham Colony, Chomu, Rajasthan - 303702 ----Respondents

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

For Respondent(s) : Ms. Divakriti Vashisth for
Mr. Bhuvnesh Sharma, AAG
Mr. Dikshant Jain

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

09/02/2026

1. 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. 1915216422520316.
- (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.



सही-प्रतिलिपि



प्रशासनिक अधिकारी न्यायिक
राजस्थान उच्च न्यायालय पीठ,
जयपुर



- (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."*

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.



सही-प्रतिलिपि

प्रशासनिक अधिकारी न्यायिक
राजस्थान उच्च न्यायालय पीठ,
जयपुर



5. *Per contra*, learned counsel for the respondent – Bank submits that, as per the information received, the disputed amount credited in the petitioner's bank account is around Rs.6,043.23 and the bank account of the petitioner has been frozen strictly in compliance to the direction issued by National Cybercrime Reporting Portal (NCRP) – a platform managed by the Indian Cyber Crime Coordination Centre (I4C) under the Ministry of Home Affairs, Government of India.
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.



सही-प्रतिलिपि


 प्रशासनिक अधिकारी न्यायिक
राजस्थान उच्च न्यायालय पीठ,
जयपुर

[2026:RJ-JP:6070]

(4 of 4)

[CW-1872/2026]



11. Consequently, this writ petition is **disposed of** with a direction to the respondent – Bank to de-freeze the bank account No. 1915216422520316 of the petitioner maintained at AU Small Finance Bank, Branch Chomu and she 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.6,043.23 which has been credited in the petitioner's bank account in connection with the alleged fraudulent transaction(s) shall remain frozen.

12. 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 the bank account till the Investigating Agencies and Bank Authorities permit the petitioner to do so.

13. It is further ordered that after investigation, if the involvement of the petitioner is found in any illegal transaction, she shall be liable to pay amount involved in the aforesaid illegal transaction and will face inquiry/investigation as per law.

14. 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.

15. Pending application(s), if any, shall stand disposed of accordingly.



सही-प्रतिलिपि
10/11/26
प्रशासनिक अधिकारी न्यायिक
राजस्थान उच्च न्यायालय पीठ,
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(ANUROOP SINGHI),J