



Serial No. 32
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 51 of 2025

Date of Decision: 11.06.2026

M/s Gargya Autocity Private Limited having its
registered office at opposite DTO office at NH-37,
Guwahati Bypass Betkuchi Guwahati, Assam-781034,
Represented by its Director Mr. Rahul Dev Sharma, aged about 50 years
S/o Late Ramesh Chandra Sarmah,
R/o Gargya Villa, Jayanagar Guwahati-781028.

... Petitioner(s)

Versus

1. Ramganjmandi Police Station, District Kota, Rajasthan
Represented by its Investigating Officer, Rajasthan-326519.
2. Santosh Singh Rajpurohit,
S/o Triloki Nath age 47 years,
R/o 227, 12 No. Gayatri Nagar Ajmer Road
Beawar, Rajasthan-305901.
3. Amish Purohit, aged about 37 years,
S/o Narmada Shankar,
R/o Ramganjmandi, District Kota, Rajasthan-326519
4. State Bank of India represented by its
Branch Manager, SBI Barapani Branch, AH1 Road,
Umiam, Barapani, District Ri Bhoi, Shillong
Meghalaya-793103

.... Respondent(s)



Coram:

Hon'ble Mr. Justice H.S. Thangkhiew, Judge

Appearance:

For the Appellant(s) : Mr. I. Borthakur, Adv. with
Mr. M.L. Nongpiur, Adv.

For the Respondent(s) : Mr. A.S. Dey, Adv. (For R 1)
Dr. A. Todi, Adv. (For R 3)

i)	Whether approved for reporting in Law journals etc:	Yes/No
ii)	Whether approved for publication in press:	Yes/No

JUDGMENT AND ORDER (ORAL)

1. By the instant writ petition the petitioner company is before this Court with a prayer for setting aside the action of the respondent No. 1, in directing the respondent No. 4, to lien mark an amount of Rs. 20,25,000/- from the current bank account of the petitioner company, and for other reliefs.

2. The background facts of the case are that an FIR dated 24.07.2024 was lodged by the respondent No. 3, before the respondent No. 1, i.e. Ramganjmandi Police Station, District Kota, Rajasthan, complaining about being defrauded with regard to the purchase of cars



from the petitioner company. Thereafter, on the case being registered, the investigation commenced, and chargesheet has also been filed on 11.11.2024, but the persons named in the FIR i.e. the employees have not been charged sheeted, and the matter is substantially pending investigation. It appears that during investigation, the Investigating Officer had the amount of Rs. 20,00,000/- deposited by the complainant, into the account of the petitioner company frozen on 03.08.2024, through the local SBI Branch, and the complainant thereafter had sought for release of the frozen amount from the Court of the Additional Chief Judicial Magistrate, Ramganj Mandi, District Kota, Rajasthan. It appears thereafter, while the proceedings were going on, the instant writ petition has been filed, and this Court by the order dated 03.03.2025, had directed that the amount be unfrozen in favour of the writ petitioner, and that a bond be furnished before the respondent No. 4 Bank.

3. It is submitted by Mr. I. Borthakur, the learned counsel that the petitioner company is not an accused in the criminal case, but the amount had been kept on lien in spite of supply of goods against the said amount deposited. He therefore, prays that the petitioner not being culpable in any manner, the interim order dated 03.03.2025, be made final and the amount no longer be kept in dispute.



4. Mr. A.S. Dey, learned counsel for the respondent No. 1, has however submitted that notwithstanding the fact that the amount had been frozen from the account of the writ petitioner, though not named as accused, the proceedings which are on with regard to the investigation, involves the employees engaged by the petitioner company, and an independent accused who had facilitated the entire transaction, which prima facie resulted in loss being caused the complainant. He further submits that the petitioner company, taking shelter in the proceedings pending before this Court in the present writ petition, are not cooperating with the investigation, as such it has created a deadlock in the investigative process by the respondent No. 1.

5. Dr. A. Todi, learned counsel for the respondent No. 3, while endorsing the submission of the respondent No. 1, had drawn the attention of this Court to the interim prayer made in the writ petition and submits that the specific prayer is for furnishing a bond before the investigating authorities, but however the bond had been furnished before the respondent No. 4 Bank. He therefore, prays that the present proceedings be closed to enable the investigation to proceed more expeditiously.

6. On the observations made by this Court as to the genesis of the matter and the fact that it has travelled to this Court by way of the



instant writ petition, without lingering any further with the matter, moreover, as the amount has since been unfrozen, the petitioner company is therefore directed to furnish a bond before the Jurisdictional Magistrate, where the case has been committed i.e. the Additional Chief Judicial Magistrate, Ramganj Mandi, District Kota, Rajasthan, within a period of 4(four) weeks from the date of this order. It is further made clear that the petitioner company, if called upon, shall cooperate fully with the investigation which is in progress.

7. As ordered above, the writ petition stands closed and disposed of.

JUDGE

Meghalaya
11.06.2026
"V. Lyndem AR-PS"