GAHC010111682026

2026:GAU-AS:11863

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/3045/2026

HEMANTA DAS AND ANR
S/O LATE GOPAL DAS, FLAT NO. 306, BAJALI HOUSE 3RD FLOOR, BANALAXMI PATH, BONGAON, BELTOLA, P.S.- BASISTHA, P.O.- BELTOLA, PIN- 781028, DISTRICT- KAMRUP M, ASSAM.

2: ARPITA DEB
W/O SHRI HEMANTA DAS
FLAT NO. 306
BAJALI HOUSE 3RD FLOOR
BANALAXMI PATH
BONGAON
BELTOLA
P.S.- BASISTHA
P.O.- BELTOLA
PIN- 781028
DISTRICT- KAMRUP M
ASSAM

VERSUS

THE STATE BANK OF INDIA AND 12 ORS
REPRESENTED BY THE CHAIRMAN, STATE BANK OF INDIA, CORPORATE CENTRE STATE BANK BHAVAN, MADAME CAMA ROAD, NARIMAN POINT, MUMBAI, MAHARASHTRA- 400021.

2:THE BRANCH MANAGER
SBI SOUTH GUWAHATI BRANCH
G.S. ROAD
GUWAHATI
KAMRUP
ASSAM
PIN- 781007.

3:THE HDFC BANK

REPRESENTED BY THE MANAGING DIRECTOR AND CEO
OFFICE AT 4TH FLOOR
HDFC HOUSE
H T PAREKH MARG
165-166 BACKBAY RECLAMATION
CHURCHGATE
MUMBAI - 400020.

4:THE BRANCH MANAGER
HDFC
NOONMATI BRANCH
MANI RAM DEWAN ROAD
OPP BRAMHPUTRA FLOUR MILLS
NOONMATI
GUWAHATI
KAMRUP
ASSAM 781020.

5:THE BRANCH MANAGER
SBI GMC BRANCH
STATFED BUILDING
BHANGAGARH
GUWAHATI
ASSAM
PIN - 781005.

6:THE CITIZEN FINANCIAL CYBER FRAUD REPORTING AND FINANCIAL SYSTEM (CFCRMS)
UNDER THE MINISTRY OF HOME AFFAIRS
REPRESENTED BY ITS SECRETARY
GOVT. OF INDIA
OFFICE AT NORTH BLOCK OF THE CENTRAL SECRETARIAT
NEW DELHI- 110001.

7:THE NODAL AGENCY MANAGING THE CFCFRMS
INDIAN CYBERCRIME COORDINATION CENTRE (I4C)
REPRESENTED BY THE CHIEF EXECUTIVE OFFICER
OFFICE AT 5TH FLOOR
NDCC-II BUILDING
JAI SINGH ROAD
NEW DELHI 110001.

8:STATE OF MAHARASHTRA
REPRESENTED BY THE CHIEF SECRETARY TO THE STATE OF MAHARASHTRA
OFFICE AT CS OFFICE
MAIN BUILDING
6TH FLOOR

MANTRALAYA
MADAME CAMA ROAD
NARIMAN POINT
MUMBAI 400032
MAHARASHTRA.

9:THE OFFICER IN CHARGE
SENIOR POLICE INSPECTOR
LOCAL HEAD OFFICE / LAW ENFORCEMENT AGENCY
MAHARASHTRA
NAGPUR CITY
AJANI P.S.ADDRESS- NEAR VISHWAKARMA NAGAR RAMESHWARI
RING ROAD
EMPRESS MILL COLONY
NAGPUR
MAHARASHTRA 440027.

10:OFFICE OF THE RBI OMBUDSMAN
(COMPLAINT MANAGEMENT SYSTEM)
THE RESERVED BANK OF INDIA
REPRESENTED BY DEPUTY OMBUDSMAN
OFFICE AT- 3RD FLOOR
STATION ROAD
PANBAZAR
GUWAHATI- 781001
ASSAM.

11:SHRI RATUL BORAH
SON OF SHRI. NAGEN BORAH
C/O. SHRI. HEMANTA DAS
RESIDENT OF FLAT NO. 306
BAJALI HOUSE 3RD FLOOR
BANALAXMI PATH
BONGAON
BELTOLA
P.S.- BASISTHA
P.O.- BELTOLA
PIN- 781028
DISTRICT- KAMRUP M
ASSAM.

12:DIPANKAR BARMAN
SON OF SHRI. CHABIN BARMAN
OFFICE AT- 5TH FLOOR
NH CENTRE POINT
OPPOSITE BORA SERVICE PETROL PUMP
G.S. ROAD
ULUBARI

GUWAHATI
ASSAM
781007.

13:VAIBHAV RAMTEKE (INFORMANT BEFORE CFCFRMS)
REPRESENTED THROUGH THE AJANI P.S.
MAHARASHTRA
NAGPUR CITY
ADDRESS- NEAR VISHWAKARMA NAGAR RAMESHWARI
RING ROAD
EMPRESS MILL COLONY
NAGPUR
MAHARASHTRA 440027

Advocate for the petitioner(s): Mr. SP Das

Advocate for the respondent(s): Mr. AK Sahewalla
For respondent Nos.1, 2 and 5
Mr. M Smith
For respondent Nos.3 and 4

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH

ORDER

19.08.2026

Heard Mr. SP Das, the learned counsel appearing on behalf of the Petitioners. Also heard Mr. AK Sahewalla, the learned counsel, who appears on behalf of the Respondent Nos.1, 2 and 5 and Mr. M Smith, the learned counsel who appears on behalf of the Respondent Nos.3 and 4.

2. The case of the Petitioners herein is that the petitioners have invested in DB Stock Broking through the Respondent No.11 on account of certain incentives being provided by the Respondent No.11. It is the further case of the Petitioners that the Petitioners invested an amount of approximately Rs.7 Lakhs in the DB Stock Broking from December 2013, and everything was functioning smoothly. However, on 16.11.2024, one Shri Vaibhav Ramteke had lodged a complaint before the Respondent No. 6 stating that a cybercrime had been committed against him by DB Stock Broking.

3. It is the case of the Petitioners that an amount of Rs.4.5 Lakhs in the separate accounts of the Petitioners in total have been put on hold. It may not be out of place to mention that the Petitioner No.1 has two accounts. One Account is with the Respondent No.1, and the other Account is with the Respondent No. 3. The Petitioner No.2 has an Account with the Respondent No.1. The details of the Bank Account of the Petitioner No.1 are: (a). SBI Account No.20248455684 (GMC Branch Guwahati); (b). HDFC Account No.07581000060494 (Noonmati Branch) and the details of the Bank Account of the Petitioner No.2 is (c). SBI Account No.20006210582 (South Guwahati Branch).

4. On account of the amount of Rs.4.5 Lakhs in separate Bank Accounts of the Petitioners being kept on hold, the Petitioners had approached this Court by filing the instant writ petition.

5. The records reveal that this Court vide an order dated 10.06.2026, issued

notice.

6. An affidavit has been filed by the Respondent Nos.1, 2, and 5, wherein it is stated that a complaint was lodged before the Cyber Fraud Reporting and Management System, wherein it was reflected that the Bank Account No.20248455684 of the Petitioner No.1, and the Bank Account No.20006210582 of the Petitioner No.2, were having the credit of the disputed amounts. The details have been provided in the form of a table which is reproduced hereinunder:

Acknowledgment	***Account Number***	***Account Holder***	***Disputed Amount***	***Branch***
31911240163126	20248455684	Hemanta Das	1,50,000	GMC Branch
	20248455684	Hemanta Das	1,500	GMC Branch
	20006210582	Arpita Deb	1,35,000	South Guwahati Branch

7. It was further mentioned that in view of the above, an amount of Rs.1,51,500/- has been marked as a lien in the Bank Account number of the Petitioner No.1, and an amount of Rs.1,35,000/-has been marked as a lien in

the Bank Account number of the Petitioner No.2.

8. Mr. M Smith, the learned counsel who represents the Respondent Nos. 3 and 4 submits that on the basis of the Cyber Fraud Reporting and Management System, an amount of Rs.1,50,000/- has been marked as disputed in the Bank Account of the Petitioner No.1 maintained with the Respondent No.3 Bank.

9. This Court finds it very relevant to take note of that the Ministry of Home Affairs has issued a Standard Operating Procedure for (NCRP)- (CFCFRMS) Custody, Restoration of Money, and Grievance Redressal on 02.01.2026. Chapter III of the said SOP provides the Grievance Redressal Mechanism. There is also a time limit within which such grievance can be settled. It is the opinion of this Court that the Petitioners would be well advised to ventilate their grievances through the Grievance Redressal Mechanism which provides an adequate and efficacious remedy.

10. Considering the above, this Court, therefore, disposes of the instant writ petition, thereby granting liberty to the Petitioners to approach the respective Branch Managers of the Petitioners' Bank placing a complaint against the marking of lien in the Petitioners respective Bank Accounts. It is further observed that upon such complaint being submitted, the respective Branch Managers of the Petitioners' Bank shall initiate the procedures in terms with the SOP 2019 and take steps to bring the grievances of the Petitioners to a logical conclusion.

JUDGE

Comparing Assistant