

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14510 of 2018

Sanjeev Kumar S/o Maheshwar Prasad Singh Ward No. 6, Dighikala Purvi
Behind Sadar, Thana Hajipur Vaishali.

... .. Petitioner/s

Versus

1. Chief Manager, Life Insurance Corporation Hajipur and Ors
2. Chief Manager, State Bank of India, Hajipur.
3. Senior Manager, Punjab National Bank, Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Adv.
For the Respondent/s	:	Mr. Kumar Priya Ranjan, Adv. Mr. Rakesh Kr. Adv. Mr. Rajni Kant Singh, Adv.
For the PNB	:	Mr. Mritunjay Kumar, Adv. Mr. Ram Ganesh, Adv.

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 14-07-2025

1. The Writ petition is filed to quash the letter dated 27.03.2018 issued by the Senior Manager, Punjab National Bank, Branch Office, Hajipur, whereby the Saving Bank Account bearing No. 36133687110 of the petitioner was held of by the State Bank of India, without issuance of notice or affording an opportunity of hearing.

2. The brief facts, as culled out from the Writ petition are that, one Santosh Kumar, a friend of the petitioner, transferred various amounts to the



petitioner’s account on different dates, which are as follows:

<u>Amounts in rupees</u>	<u>Transaction Dates</u>
25000/-	02.02.2018
25000/-	02.02.2018
25000/-	05.02.2018
25000/-	05.02.2018
25000/-	05.02.2018
25000/-	05.02.2018
25000/-	13.02.2018
25000/-	13.02.2018
25000/-	15.02.2018
24000/-	15.02.2018
25000/-	20.02.2018
25000/-	20.02.2018

3. The contents of the Writ petition disclose that the petitioner had no knowledge about the transferred amount and an FIR was lodged against Santosh Kumar, who is languishing in jail in connection with FIR No. 223 of 2018. On 26.03.2018, the office of the Life Insurance Corporation of India, called the petitioner and inquired about the transactions related to the said amount, upon which the petitioner responded and came to know that an amount of Rs. 3,24,000/- was transferred to his account. Thereafter, the petitioner has returned the said amount, i.e., Rs. 3,24,000/-



to Santosh Kumar on 27.03.2018. The contents of the Writ petition further disclose that Santosh Kumar pleaded not guilty before the Magistrate, Hajipur, and that on the same day, the Senior Manager of the Punjab National Bank, Hajipur, issued a letter dated 27.03.2018 requesting the Chief Manager, State Bank of India, Hajipur, to withhold the Savings Bank Account of the petitioner bearing No. 36133687110.

4. It is the contention of the Learned counsel for the petitioner that no FIR has been lodged against the petitioner. After coming to know that the amounts were transferred to his account, the petitioner returned the said amounts to Santosh Kumar. Therefore, withholding the account of the petitioner is bad in the eye of law.

5. On the other hand, the Learned counsel for the respondent-Punjab National bank as well as the Learned counsel for the Life Insurance Company contended that the amounts were neither returned to LIC, nor to the Bank, and in fact, the same were withdrawn by the petitioner.



6. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

7. It is also admitted in the Writ petition that these amounts were handed over to Santosh Kumar, against whom FIR No. 223 of 2018, dated 04.04.2018, lodged on the file of Hajipur Town Police Station for the offences punishable under Sections 420, 467, 468, 471 and 120 of Indian Penal Code.

8. Considering the arguments of both the parties, and on perusal of the records, it is evident that Santosh Kumar transferred the amounts to the account of the petitioner, and the petitioner withdrew those amounts and handed over them to Santosh Kumar. It is the specific contention before the Court that the petitioner came to know about the fraudulent transactions on 26.03.2018 at the office of LIC for an amounts of Rs. 3,24,000/-, and that the petitioner returned the amounts on the very next day, i.e., on 27.03.2018. Despite knowing the fact that the Santosh Kumar had cheated the



LIC, the petitioner has withdrawn the amounts belonging to LIC from his account and handed it over to his friend, Santosh Kumar. Therefore, this Court finds no merit in the contention that the letter addressed by the Senior Manager, Punjab National Bank, Hajipur, withholding the petitioner’s savings bank account is illegal or arbitrary. Admittedly, it is for the Criminal Court to decide the case on merits, for which an FIR was lodged against Santosh Kumar. Hence, this Court does not intend discuss the merits to interfere with the jurisdiction of the Criminal Court in any manner.

9. With the aforesaid observations, the Writ petition is dismissed as it is devoid of merits.

(G. Anupama Chakravarthy, J)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	24.07.2025
Transmission Date	

