HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF DECEMBER, 2025

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 36734 OF 2025 (GM-RES-PIL)

BETWEEN:

1. MR. PAVAN VIJAY SHARMA
S/O MR. VIJAY BASANTRAM SHARMA
AGED ABOUT 43 YEARS
CURRENTLY RESIDING AT#Q-701
CONCORDE MANHATTAN APARTMENTS
NEELADRI ROAD, ELCTRONIC CITY
BANGALORE - 560 100

…PETITIONER

(BY SRI S. SUDHARSAN, ADVOCATE)

AND:

Digitally signed by VEERENDRA KUMAR K M
Location: High Court of Karnataka

1. THE UNION OF INDIA
MINISTRY OF HOME AFFAIRS AT
KARTAVYA BHAVAN, 03, JANPATH
NEW DELHI - 110 011
REPRESENTED BY ITS SECRETARY

2. THE STATE OF KARNATAKA
DEPARTMENT OF HOME AFFAIRS
AND DEPARTMENT OF FINANCE
AMBEDKAR VEEDHI
VIDHANA SOUDHA
BENGALURU - 560 001
REPRESENTED BY ITS SECRETARY

3. COMMISSIONER OF POLICE
#2, ALI ASKER RD, VASANTH NAGAR
BENGALURU, KARNATAKA - 560 001
REPRESENTED BY
PUBLIC PROSECUTOR

4. RESERVE BANK OF INDIA
NO.10/3/8, NRUPATUNGA ROAD
BENGALURU - 560 001
REPRESENTED BY
REGIONAL DIRECTOR

5. INDIAN BANKS' ASSOCIATION
6TH FLOOR, CENTRE 1 BUILDING
WORLD TRADE CENTRE COMPLEX
CUFFE PARADE, MUMBAI - 400 005
REPRESENDED BY ITS CHAIRMAN

...RESPONDENTS

(BY SRI H. SHANTHI BHUSHAN, DSGI FOR R-1 &
SMT. NILOUFER AKBAR, AGA FOR R-2 & 3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION DIRECTING THE RESPONDENT STATE AND POLICE AUTHORITIES TO FORMULATE, NOTIFY AND IMPLEMENT UNIFORM GUIDELINES / UNIFORM STANDARD OPERATING PROCEDURE (SOP) FOR ISSUANCE OF BANK ACCOUNT FREEZE ORDERS, DEBIT RESTRICTIONS AND LIEN MARKINGS IN CYBER-CRIME CASES ACROSS THE STATE OF KARNATAKA & ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioner has filed the present petition as a public interest litigation *inter-alia* praying the following relief:

> i. Issue a Writ of Mandamus or any other appropriate writ, order or direction directing the Respondent State and police authorities to formulate, notify and implement uniform guidelines / uniform Standard Operating Procedure (SOP) for issuance of bank account freeze orders, debit restrictions and lien markings in cyber-crime cases across the State of Karnataka.

2. The petitioner is essentially aggrieved by the action of the police authorities in freezing the bank accounts of persons in cases where complaints of cyber crime are reported. The petitioner states that a show cause notice is required to be issued before such drastic action. However, the State authorities contended that if time is spent in giving the show cause notice, it may not be possible to recover the proceeds of the crime. In this view the petitioner submits that it is necessary to frame guidelines for freezing of bank accounts.

3. Learned DSGI is present on advance notice and submits that a draft of the Standard Operating Procedure [**SOP**] for "NCRP-CFCFRMS, Custody, and Restoration of money and Grievance Redressal" has already been circulated to all stakeholders and the said SOP would be finalized after receiving inputs from the stakeholders.

4. Since the respondents have already initiated steps for framing of the guidelines, this Court does not consider it apposite to issue any orders at this stage. The petition is accordingly disposed of.

5. We, however, clarify that this order would not impede any individual or entity whose account is frozen and who may aggrieved, to avail of remedies in accordance with law.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(C.M. POONACHA)
JUDGE

KMV
List No.: 2 Sl No.: 5