HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 13490/2024

Muskan W/o Shoaib, Aged About 25 Years, 21, Near Sahabjado Ki Masjid, Inside Nagaur Gate, Jodhpur.

----Petitioner

Versus

1. Indusind Bank Ltd., Ground Floor, Plot No.114 And 115, Laxman Bhawan, Polo 1St Paota, Jodhpur Through Chief Manager.
2. Commissioner Of Police, Thane, Maharashtra.
3. Station House Officer, Police Station Mumbra Thane City, Maharashtra.
4. Station House Officer, Police Station Deoda Road, Godda, Jharkhand.

----Respondents

For Petitioner(s)	:	Mr. Yusuf Khan
For Respondent(s)	:	Mr. Manoj Bhandari, Sr. Advocate assisted by Mr. Arpit Mehta Mr. Deepak Gaur Branch Manager Ms. Megha Jain, Indusind Bank

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HON'BLE MR. JUSTICE FARJAND ALI

Order

29/01/2025

1. The petitioner has approached this Court seeking relief against the freezing of her bank account by the respondent-Bank on the instructions of the Sub-Inspector, Police Station Jharkhand Godda Deoda Road, who had exercised authority to freeze the account in connection with an ongoing investigation.

2. By an order dated 19.10.2024, this Court had directed the respondent bank to de-freeze the petitioner’s account, subject to

the condition that the disputed amount of ₹50,000 shall remain on hold and she shall be at liberty to make transaction for rest of the amount. Meaning thereby, the petitioner would have the liberty to freely operate her account, provided a minimum balance of ₹50,000 would be maintained in her account.

3. Upon receipt of the certified copy of order dated 19.10.2024, the respondent-Bank addressed a communication to this Court, expressing its inability to comply with the directions by saying that as per the prevailing rules, a frozen account could only be de-frozen by the authority who initially ordered to freeze, which in this case was the Sub-Inspector, Police Station Jharkhand. Thus, the concerned bank officials were directed to appear before this Court and to show cause as to why a letter was sent personally to the undersigned. Pursuant to the notice, Mr. Deepak Gaur, the Senior Branch Manager, along with Ms. Megha Jain and Mr. Manoj Bhandari, Sr. Advocate assisted by Mr. Arpit Mehta, learned counsel representing the Bank, appeared before this Court to tender their explanation. During the proceedings, the officials of the respondent-Bank expressed their unconditional apology by stating that their action was based on a bona fide mistake and not out of any intentional disobedience of this Court’s order.

4. Having considered the explanation tendered by the respondent-Bank and in view of the fact that the non-compliance does not appear to be willful, this Court deems it appropriate to

discharge the rule and drop further proceedings against Respondent No.1.

5. Consequently, the order dated 14.01.2025 is hereby made absolute, and the petitioner is permitted to operate her bank account, subject to the condition that she maintains a minimum balance of ₹50,000. In view of the foregoing discussion, no further order is required to be passed , and the petition stands disposed of accordingly. All pending applications, if any, shall stand disposed of.

(FARJAND ALI),J

251-Mamta/-