HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 21799/2026
CNR: RJHC021000032026 | URN: CW / 45775U / 2026

Vinod Kumar Gupta S/o Prem Kumar Gupta, Aged About 58 Years, R/o 3-Ma -34 , Indira Gandhi Nagar, Jagatpura, Jaipur-302017, Rajasthan

----Petitioner

Versus

1. State Of Rajasthan, Through Its Secretary , Department Of Home Affairs, Government Of Rajasthan, Secretariat, Jaipur-302005
2. Deputy Inspector General Of Police, Cyber Crime Police Station, Near Pani Pech, Nehru Nagar, Jaipur-302032
3. State Bank Of India, Through Branch Manager, Ranoli Branch, District Sikar, Rajasthan -332403
4. Punjab National Bank, Through Branch Manager, Indira Gandhi Nagar Branch, Jagatpura, Jaipur-302017, Rajasthan

----Respondents

For Petitioner(s)	:	Mr.Utkarsh Jindal, Adv.
For Respondent(s)	:	Mr.Bhuwnesh Sharma, AAG.

HON'BLE MR. JUSTICE SAMEER JAIN

Order

25/11/2026

1. The present petition has been filed with the following prayers:-

> *"i. Issue an appropriate writ, order, directing Respondent No.3-State Bank of India, Ranoli Branch, District Sikar, Rajasthan and Respondent No.4— Punjab National Bank, Indira Gandhi Nagar Branch, Jagatpura, Jaipur to forthwith revoke the freezing instructions and immediately unfreeze/restore normal operations of the petitioner's Savings Bank Account bearing Account No. 8721000100019522 maintained with Punjab National Bank.*
>
> *ii. Further direct the Respondents to furnish to the petitioner the written order, communication, complaint details, statutory authority, and reasons, if any, forming the basis of freezing and continued*

restriction upon the petitioner's aforesaid bank account.

iii. Pass any further or other writ, order, or direction which this Hon'ble Court may deem fit, just, proper, and expedient in the facts and circumstances of the present case."

2. Heard and perused the material available on record.

3. Upon doing the needful, at the outset, this Court observes that the freezing of a bank account in connection with a cyber-crime investigation undoubtedly causes prejudice to the account holder; however, having regard to the peculiar nature of cyber offences, where the proceeds of fraud may be transferred through multiple accounts within a short span of time, immediate preventive action by the investigating agency cannot, by itself, be termed arbitrary merely on the ground that prior notice was not afforded to the account holder. At the same time, such power is required to be exercised with due circumspection and in a manner proportionate to the alleged fraudulent transaction, and the restraint cannot be permitted to continue for an unduly prolonged period without review.

4. This Court takes note of the ratio encapsulated in the judgment dated 12.08.2026 in **SBCWP No. 9549/2026** titled as **Madna Ram Vs. RBI & Anr.** along with connected petitions, (passed recently at Principal Seat, Jodhpur) and Standard Operating Procedure dated 02.01.2026 issued under the National Cyber Crime Reporting Portal and the Citizen Financial Cyber Fraud Reporting and Management System i.e. NCRP-CFCFRMS, Ministry of Home Affairs which provides a structured, time-bound and multi-tiered grievance redressal mechanism to an aggrieved account holder against putting an account on hold, seizure thereof

or suspension of digital banking services. The said mechanism contemplates consideration of the grievance by the designated District Grievance Officer, an appeal before the State Grievance Officer within the prescribed period, and, where warranted, recourse to the jurisdictional Court for restoration of digital banking services or de-freezing of the account.

5. The SOP further casts corresponding obligations upon the banks and the investigating agencies to furnish requisite information and take consequential action within the stipulated timelines. Thus, in view of the efficacious mechanism now available under the aforesaid SOP, and the ratio passed in **Madna Ram (supra),** a writ petition seeking de-freezing of the account, without first availing the remedy so provided, would ordinarily be premature. The authorities, while exercising the power of freezing, are consequently required to ensure that the restraint remains proportionate to the alleged transaction and that the safeguards and timelines prescribed under the SOP, and the directions spelled out in paragraph nos. 13 to 16 of **Madna Ram (supra),** are strictly adhered to. It is made cautiously clear that the ratio passed in **Madna Ram (supra)** shall be treated as part and parcel of the present order.

6. In accordance with SOP (supra), and in light of judgment enumerated in **Madna Ram (supra)**, the present petition is disposed of. Pending applications, if any, shall stand disposed.

(SAMEER JAIN),J

Crt_8/D-A/59/Himanshu Soni