HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous (Petition) No. 6912/2026
CNR: RJHC010793172026 | URN: CRLMP / 12122U / 2026

Mahendra Kumawat S/o Chella Ram, Aged About 32 Years, R/o Bera Kubdai, Nimaj, Teh. Jaitaran, Dist Beawar.

----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. State Bank Of India, Through Its Branch Manager, Jodhpur Road Nimaj, Teh. Jaitaran, Dist Beawar (Raj)
3. Deputy Inspector General Of Police, Cyber Crime, Police Headquarters, Rajasthan.

----Respondents

For Petitioner(s) : Mr. Ajay Kumar
For Respondent(s) : Mr. Prem Singh Panwar, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

10/08/2026

1. The instant criminal misc. petition under Section 528 BNSS has been filed by the petitioner seeking the following reliefs:-

"a) Issue an appropriate order or direction directing the respondents, particularly Respondent No.2 State Bank Of India Jodhpur Road Nimaj, Teh.Jaitaran, Dist-Beawar,to forthwith de-freeze/remove the debit freeze/hold/restriction imposed upon the petitioner's Savings Bank Account No. 39806404863, maintained with State Bank Of India, Jodhpur Road Nimaj, Teh.Jaitaran, Dist-Beawar and having IFSC Code: SBIN0031318, permit the petitioner to operate the said account in accordance with law;

b) Direct the respondents not to impose any restriction upon the petitioner's future legitimate deposits/credits in the aforesaid bank account except in accordance with law and pursuant to a valid order passed by the competent authority;

c) Pass an order declaring that the continued freezing of the petitioner's entire Savings Bank Account No. 39806404863, maintained with State Bank Of India, Jodhpur Road Nimaj,

Teh.Jaitaran, Dist-Beawar and having IFSC Code: SBIN0031318, without following the due process of law and despite the alleged disputed amount, if any, being identifiable and separable, is arbitrary, illegal and unsustainable in law;

d) Pass such other or further order(s), direction(s) or relief(s) as this Hon'ble Court may deem fit, just and proper in the facts and circumstances of the present case."

2. Having considered the facts and circumstances of the case, this Court deems it just and proper to dispose of this misc. petition with a direction to the State Bank of India (respondent No.2) to keep the disputed amount (the amount which was transferred illegally in the bank account of the petitioner) frozen and allow the petitioner to make transactions from his bank account from the remaining balance.

3. It is further made clear that in case, the respondent – Bank has not received the information regarding the exact figure of the disputed amount, which the Investigating Officer/Police alleges to be receipt(s) of the offence, the bank shall send a communication to the concerned Investigating Officer/Police, to indicate the amount to be earmarked for lien, while endorsing a copy of the instant order.

4. Upon receipt of such communication/letter, the concerned Investigating Officer/Police shall be under an obligation to apprise the respondent - Bank about the amount to be kept in lien, within a period of seven days of receiving the communication from the respondent - Bank. The respondent – bank shall thereafter do the needful as directed herein above.

5. It is further made clear that in case, the respondent-Bank does not receive any reply from the concerned Investigating

Officer/Police, then it shall be duty bound to act in accordance with the instant order.

6. Stay petition as well as all pending application, if any, stand disposed of.

(KULDEEP MATHUR),J

51/Divya Raj Jasmatiya