HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous (Petition) No. 7309/2026
CNR: RJHC010815982026 | URN: CRLMP / 12627U / 2026

Nayan Health Care, Throgh Deepak Kushwaha.son Of Shri Ganesh Ram Kushwaha Aged About 36 Years, R/o Vallbh Chok, Dist.- Nagaur.

----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. Canara Bank, Through Its Branch Manager /nodal Officer,branch Address- Outside Plot No. 08, Didwana Road, Nagaur,rajasthan - 341001
3. Deputy Genral Of Police, Cyber Crime, Police Head Quarters Jaipur
4. Canara Bank, Through Its Branch Manager /nodal Officer,branch Address - Tarmal Building, Bungalow No. 41, Crpf Road,district - Neemuch, Madhya Pradesh, Pin 458441

----Respondents

For Petitioner(s) : Mr. Bheru Lal
For Respondent(s) : Mr. Narendra Gehlot, 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:-

> *"It is, therefore, most respectfully and humbly prayed that your lordship may graciously be pleased to accept and allow this Criminal Misc. Petition and:*
> *A. By an appropriate writ, order or direction, the respondents may be directed to remove the freeze on the Account with Respondent Bank bearing (release the amount of Canara Bank forthwith. 120039781856 in IFSC Code: CNRB0003178...of the petitioner forthwith.*
> *B. By an appropriate writ, order or direction, the respondents may be directed to remove the freeze and blocked money on the bank account of petitioner.*

C. Any other order which this hon'ble court deems just and proper in the facts and circumstances of the case may also be passed in favour of the petitioner.
D. The cost of the Criminal Misc. Petition may kindly be awarded to the petitioner."

2. Having considered the facts and circumstances of the case, this Court deems it just and proper to dispose of this criminal misc. petition with a direction to the Canara Bank (Respondents No.2 & 4) 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/its 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. With the aforesaid directions, the instant criminal misc. petition is disposed of.

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

(KULDEEP MATHUR),J

251/Himanshu Singh