

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**

S.B. Criminal Miscellaneous (Petition) No. 7324/2026
CNR: RJHC010816852026 | URN: CRLMP / 12644U / 2026

Aakash Gawariya S/o Radheshyam, Aged About 25 Years, R/o Ward 1, Ishakabad, Nimbahera, District Chittorgarh, Rajasthan 312601.

----Petitioner

Versus

1. State Of Rajasthan, Through The Director General Of Police, Police Directorate, Jaipur, Rajasthan.
2. Indian Bank, Through Its Branch Manager, Indian Bank, Nimbahera Branch, District Chittorgarh, Rajasthan.
3. Deputy Inspector General Of Police, Cyber Crime, Police Headquarters, Jaipur, Rajasthan.

----Respondents

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

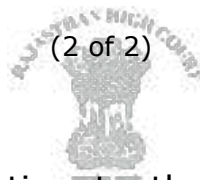
HON'BLE MR. JUSTICE KULDEEP MATHUR
Order

10/08/2026

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

- "1.The Respondents may be directed to expeditiously complete the investigation qua the petitioner, if any, and to allow the petitioner to operate his bank account on a provisional basis, without any interruption, pending such investigation.*
- 2. The petitioner holds Bank Account No. 7878676252. Account Name: Aakash Gawariya, with the Respondent No. 2 Indian Bank. Nimbahera Branch (ANNEXURE-2). The Respondents may kindly be directed to remove the debit freeze/dormant status on the said account and to unfreeze the same.*
- 3. The petitioner may kindly be permitted to operate his account and to use the amount lawfully deposited therein for his personal and day-to-day requirements.*
- 4. Any other appropriate order which this Hon'ble Court deems fit and proper in the facts and circumstances of the case may also kindly be passed in favour of 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 Indian Bank (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. 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