RAJASTHAN HIGH COURT
सत्यमेव जयते

# HIGH COURT OF JUDICATURE FOR RAJASTHAN
# AT JODHPUR

S.B. Civil Writ Petition No. 7177/2025
CNR: RJHC010315132025 | URN: CW / 12135U / 2025

Rajasthan High Court
सत्यमेव जयते
Web Copy - Not Official

Shree Radhe Enterprises, Through Its Proprietor, Miss Paras, Having Its Registered Office At Plot No. 385, Shree Ram Nagar, Street No. 7, Jodhpur, Rajasthan, 342001.

----Petitioner

Versus

1. Reserve Bank Of India, 18Th Floor, Central Office Building, Shahid Bhagat Singh Road, Mumbai - 400001.
2. Yes Bank, Pal Road Jodhpur Branch, Through Its Branch Manager, Jodhpur, Rajasthan.
3. Inspector Of Police, Cybercrime, Ntr Police Commissionerate, Buckinghampeta, Vijayawada, Andhra Pradesh.

----Respondents

Connected With

S.B. Civil Writ Petition No. 7193/2025
CNR: RJHC010314022025 | URN: CW / 12161U / 2025

CBN Art And Crafts Private Limited, Bearing Cin U36990Rj2022Ptc081233 Through Its Director, Suman Kanwar, Age 32 Years, Having Its Registered Office At P.no. 186, In Front Of Govt. School, Pal Village, Jodhpur, Rajasthan, 342014

----Petitioner

Versus

1. Reserve Bank Of India, 18Th Floor, Central Office, Building, Shahid Bhagat Singh Road, Mumbai - 400001.
2. Icici Bank, S.m. Paota Jodhpur Branch, Through Its Branch Manager, Jodhpur, Rajasthan.
3. Inspector Of Police, Cybercrime, Ntr Police Commissionerate, Buckinghampeta, Vijaywada, Andhra Pradesh.

----Respondents

---

For Petitioner(s) : Mr. Siddharth Tatia assisted by Ms. Yukti Joshi.

For Respondent(s) : Mr. Rajat Dave. (resp.No.1)

---

**(Uploaded on 28/10/2026 at 06:47:20 PM)**
**(Downloaded on 30/10/2026 at 01:34:05 PM)**

Mr. Raj Singh Bhati and Mr. Paramveer Singh for Mr. Ritu Raj Singh Bhati, GC. (resp.Home Dept.)
Mr. Vijay Purohit with Mr. Pradeep Singh Rajpurohit. (resp-Yes Bank)
Mr. Aditya Singhi (resp-ICICI Bank)

Rajasthan High Court Web Copy - Not Official

**HON'BLE DR. JUSTICE NUPUR BHATI**

**Order**

**28/10/2026**

1. These writ petitions have been filed by the petitioners under Article 226 of the Constitution of India with the following prayers:

> **SBCWP No.7177/2025**:
> "…….xxxxxx
> i. The respondent No.2 bank may be directed to de-freeze the YES bank accounts bearing no. 117863400002074 (Current) and 117852400000919 (Savings) and allow the petitioner to operate both of the accounts.
> ii. The respondents may be directed to pay compensation at least Rs.4,00,000/- (Rupees Four Lakhs) to the petitioner on account of the hardships being suffered by the petitioner due to illegal non-operation of his bank account; and
> ……..xxxxxx"
> **SBCWP No.7193/2025**:
> "…….xxxxxxx
> i. The respondent No.2 bank may be directed to de-freeze the ICICI Bank Account No. 777705201096 and allow the petitioner to operate its account.
> ii. The respondents may be directed to pay compensation at least Rs.2,00,000/- (Rupees Two Lakhs) to the petitioner on account of the hardships being suffered by the petitioner due to illegal non-operation of his bank account; and
> …….xxxxxx"

2. Since common question of facts and law are involved, for the sake of brevity, facts of SBCWP No.7177/2025 are being taken for illustrative purposes.

3. Brief facts of the case are that the petitioner, Shree Radhe Enterprises, a sole proprietorship engaged in the business of electrical equipment, appliances, and components, maintains a current account and a savings account with YES Bank, Jodhpur. In November 2024, respondent No.2 abruptly de-froze the

(Uploaded on 28/10/2026 at 06:47:20 PM)
(Downloaded on 30/10/2026 at 01:34:05 PM)

RAJASTHAN HIGH COURT

petitioner's bank accounts without prior notice or an opportunity of hearing, and in January 2025 the accounts were completely frozen. Despite repeated inquiries, the bank did not provide any explanation; the petitioner's email dated 13.12.2024 to respondent No.2 also remained unanswered. The petitioner was verbally informed that the freeze was effected at the instructions of respondent No.3, but despite seeking reasons from respondent No.3, no concrete resolution was provided. The account history, according to the petitioner, shows no suspicious transactions, fraudulent activity, or linkage with cyber crime and that the freezing has caused severe financial hardship and disruption to the petitioner's business. Hence, this petition.

Rajasthan High Court Web Copy - Not Official सत्यमेव जयते

4. Counsel representing the respondents, at the outset, submit that the issue involved in these writ petitions is squarely covered by the Judgment passed by the Coordinate Bench of this Court in a batch of writ petitions led by ***SBCWP No.9549/2026 : Madna Ram v. Reserve Bank of India & Anr***.

5. Counsel for the petitioners submits that the aforesaid judgment is distinguishable, as the Standard Operating Procedure (hereinafter referred to as the 'SOP') issued by the Ministry of Home Affairs on 02.01.2026 cannot be given retrospective effect, since the accounts of the petitioners were frozen in November 2024 and thereafter, in January 2025. He further submits that, as per the SOP, a remedy is available to approach the Competent Authority for redressal of the grievance; however, in the instant case, the petitioners have already submitted their representation by way of email. He further submits that, since the petitioners have already availed the remedy before the respondents, they are

(Uploaded on 28/10/2026 at 06:47:20 PM)
(Downloaded on 30/10/2026 at 01:34:05 PM)

not required to again place their grievance before the Grievance Redressal Mechanism available under the SOP.

6. *Per contra*, counsel representing the respondents jointly submit that the judgment passed in Madna Ram (supra) is applicable to the petitioners, as in that case, the incident occurred in September 2025, when the accounts of the petitioners were frozen, and further, the petitioners therein had submitted a representation before the respondent-Bank of Baroda. They submit that the Coordinate Bench, after examining the issue in Madna Ram (supra), disposed of the writ petition with liberty to the petitioners therein to avail the remedies contemplated under the SOP dated 02.01.2026 and other applicable statutory provisions.

7. Counsel for the petitioners further submits that, as per the SOP, the respondents are required to examine the matter and pass an appropriate order within the prescribed period of 90 days; however, in the present case, a period of more than one and a half years has expired, and till date, the petitioners' accounts continue to remain frozen by the respondents. He further submits that in Madna Ram (supra), the Court specifically observed that, in case the action of the respondents is arbitrary, the writ petition is maintainable under Article 226 of the Constitution of India. To this submission, counsel representing the respondents submits that the period of 90 days shall commence from the date on which the petitioner files an application/representation before the Grievance Redressal Mechanism, as laid down under the SOP. They further submit that, in a similar issue, where the petitioner had pleaded grave arbitrariness on the part of the respondents, the Coordinate

(Uploaded on 28/10/2026 at 06:47:20 PM)
(Downloaded on 30/10/2026 at 01:34:05 PM)

Bench in Madna Ram (supra) did not grant indulgence and disposed of the writ petitions with liberty to the petitioners to avail the statutory remedy under the SOP.

8. Heard learned counsel for the parties. Perused the material available on record.

9. This Court takes into consideration the judgment passed by Coordinate Bench of this Court in the case of Madna Ram (supra), wherein, the Coordinate Bench has specifically observed as under:

> *"……...xxxxxxx*
> *14. A bare perusal of the above reiterated SOP makes it unambiguous that the said mechanism provides for a time-bound, multi-tiered redressal process, commencing from the concerned bank branch and extending to the jurisdictional investigating authorities, with further avenues of escalation to District and State Grievance Officers, and incorporates adequate safeguards including verification, reasoned decision-making, and provision for partial or complete defreezing of accounts, where warranted. The framework appears to have been devised after due deliberation by domain experts and encompasses coordinated participation of stakeholders, including banking institutions, law enforcement agencies and legal functionaries. This Court does not discern any apparent arbitrariness, lacuna or infirmity in the said mechanism.*
> *15. This Court is further of the view that the petitioners have at their disposal an efficacious, adequate and statutorily recognized remedy for redressal of their grievances within the contours of the aforesaid SOP and under the provisions of the BNSS, 2023. Invocation of the extraordinary writ jurisdiction of this Court under Article 226 of the Constitution of India, or under Section 528 of the BNSS, at a nascent stage without exhausting the available remedies, is premature and unwarranted. However, it is clarified that in the event of demonstrable malice, arbitrariness, or failure on the part of the designated authorities to adhere to the prescribed grievance redressal mechanism, or in cases of inordinate and unexplained delay in consideration of representations, the petitioners shall be at liberty to approach this Court afresh.*
> *16. The initial recourse to this Court without availing the remedies contemplated under the SOP, or without even submitting a representation before the competent authority, disentitles the petitioners, and similarly situated*

(Uploaded on 28/10/2026 at 06:47:20 PM)
(Downloaded on 30/10/2026 at 01:34:05 PM)

RAJASTHAN HIGH COURT
सत्यमेव जयते

*persons, from seeking indulgence of this Court, at the threshold stage. The doctrine of exhaustion of alternative remedies, coupled with principles of judicial restraint, warrants that the statutory and administrative framework be allowed to operate in the first instance. This Court also finds that the impugned action, being founded upon systemgenerated alerts and undertaken in furtherance of a coordinated national response to cyber frauds, cannot be termed as arbitrary merely on account of absence of prior notice, particularly when such notice, if given, may defeat the very purpose of the action by enabling dissipation of funds.*

*17. At the same time, it is expected of the respondent authorities that the power to freeze accounts shall be exercised with due circumspection and responsibility, ensuring that the restraint is proportionate to the alleged transaction and is not continued for an unduly prolonged period without periodic review. The authorities shall also ensure strict adherence to the timelines and procedures prescribed under the SOP so as to minimize hardship to bona fide account holders.*

*18. Before parting, this Court is also appreciative of the gratuitous efforts undertaken by Shri Manoj Bhandari, learned Sr. Advocate who has ably assisted the Court as amicus curiae, with his valuable knowledge in the instant matter.*

*19. In light of the aforesaid, the present writ petitions stand **disposed** of, with liberty to the petitioners to avail the remedies as contemplated under the Standard Operating Procedure dated 02.01.2026 and other applicable statutory provisions. Pending applications, if any, shall also stand disposed of.*

*20. A copy of this judgment be placed on record in all connected matters."*

10. The contention of the petitioners that the judgment passed in the case of Madna Ram (supra) is not applicable in the instant case, does not appear to be sustainable, for the reason that in the case of Madna Ram (supra) and other connected writ petitions, the Coordinate Bench specifically observed that, in September 2025, the petitioners became aware that they were unable to operate bank accounts due to recurring transaction errors, and that neither receipts nor payments could be effected, and after approaching the concerned bank and making due inquiry, the petitioners were informed that their bank accounts had been

(Uploaded on 28/10/2026 at 06:47:20 PM)
(Downloaded on 30/10/2026 at 01:34:05 PM)

RAJASTHAN HIGH COURT

frozen. It was further specifically observed by the Coordinate Bench that the petitioners in that case made a representation before the respondent-Bank of Baroda; however, no heed was paid to the same and the Coordinate Bench granted liberty to the petitioners to avail remedies as contemplated under the Standard Operating Procedure dated 02.01.2026 and the other applicable statutory provisions.

Rajasthan High Court Web Copy - Not Official सत्यमेव जयते

11. The case of the petitioners is on similar footing as the bank account of the petitioners were freezed by the respondents in the month of November, 2024 and thereafter, in the month of January, 2025 and, further, the petitioners have also submitted a representation, which has not been paid heed by the respondents.

12. Accordingly, the instant writ petition is disposed of in the same terms as in the case of Madna Ram (supra), with liberty to the petitioners to avail the remedies as contemplated under the SOP dated 02.01.2026 and other applicable statutory provisions.

13. Pending applications, if any, shall also stand disposed of.

14. A copy of this order shall be placed in each file.

**(DR. NUPUR BHATI),J**

Crt_10 (1838)
D-A/5 & 6
Devesh Thanvi

**(Uploaded on 28/10/2026 at 06:47:20 PM)**
**(Downloaded on 30/10/2026 at 01:34:05 PM)**