



HC-KAR

- 1 -

NC: 2025:KHC:52459-DB  
WP No. 36734 of 2025

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 11<sup>TH</sup> DAY OF DECEMBER, 2025**

**PRESENT**

**THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE**

**AND**

**THE HON'BLE MR. JUSTICE C.M. POONACHA**

**WRIT PETITION NO. 36734 OF 2025 (GM-RES-PIL)**

**BETWEEN:**

1. MR. PAVAN VIJAY SHARMA  
S/O MR. VIJAY BASANTRAM SHARMA  
AGED ABOUT 43 YEARS  
CURRENTLY RESIDING AT#Q-701  
CONCORDE MANHATTAN APARTMENTS  
NEELADRI ROAD, ELCTRONIC CITY  
BANGALORE - 560 100

...PETITIONER

(BY SRI S. SUDHARSAN, ADVOCATE)

**AND:**

1. THE UNION OF INDIA  
MINISTRY OF HOME AFFAIRS AT  
KARTAVYA BHAVAN, 03, JANPATH  
NEW DELHI - 110 011  
REPRESENTED BY ITS SECRETARY
2. THE STATE OF KARNATAKA  
DEPARTMENT OF HOME AFFAIRS  
AND DEPARTMENT OF FINANCE  
AMBEDKAR VEEDHI  
VIDHANA SOUDHA  
BENGALURU - 560 001  
REPRESENTED BY ITS SECRETARY

Digitally  
signed by  
VEERENDRA  
KUMAR K M  
Location:  
High Court of  
Karnataka



3. COMMISSIONER OF POLICE  
#2, ALI ASKER RD, VASANTH NAGAR  
BENGALURU, KARNATAKA - 560 001  
REPRESENTED BY  
PUBLIC PROSECUTOR
  
4. RESERVE BANK OF INDIA  
NO.10/3/8, NRUPATUNGA ROAD  
BENGALURU - 560 001  
REPRESENTED BY  
REGIONAL DIRECTOR
  
5. INDIAN BANKS' ASSOCIATION  
6<sup>TH</sup> FLOOR, CENTRE 1 BUILDING  
WORLD TRADE CENTRE COMPLEX  
CUFFE PARADE, MUMBAI - 400 005  
REPRESENTED BY ITS CHAIRMAN

...RESPONDENTS

(BY SRI H. SHANTHI BHUSHAN, DSGI FOR R-1 &  
SMT. NILOUFER AKBAR, AGA FOR R-2 & 3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION DIRECTING THE RESPONDENT STATE AND POLICE AUTHORITIES TO FORMULATE, NOTIFY AND IMPLEMENT UNIFORM GUIDELINES / UNIFORM STANDARD OPERATING PROCEDURE (SOP) FOR ISSUANCE OF BANK ACCOUNT FREEZE ORDERS, DEBIT RESTRICTIONS AND LIEN MARKINGS IN CYBER-CRIME CASES ACROSS THE STATE OF KARNATAKA & ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE  
and  
HON'BLE MR. JUSTICE C.M. POONACHA

**ORAL ORDER**

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioner has filed the present petition as a public interest litigation *inter-alia* praying the following relief:

i. Issue a Writ of Mandamus or any other appropriate writ, order or direction directing the Respondent State and police authorities to formulate, notify and implement uniform guidelines / uniform Standard Operating Procedure (SOP) for issuance of bank account freeze orders, debit restrictions and lien markings in cyber-crime cases across the State of Karnataka.

2. The petitioner is essentially aggrieved by the action of the police authorities in freezing the bank accounts of persons in cases where complaints of cyber crime are reported. The petitioner states that a show cause notice is required to be issued before such drastic action. However, the State authorities contended that if time is spent in giving the show cause notice, it may not be possible to recover the proceeds of the crime. In this view the petitioner submits that it is necessary to frame guidelines for freezing of bank accounts.



3. Learned DSGI is present on advance notice and submits that a draft of the Standard Operating Procedure [**SOP**] for "NCRP-CFCFRMS, Custody, and Restoration of money and Grievance Redressal" has already been circulated to all stakeholders and the said SOP would be finalized after receiving inputs from the stakeholders.

4. Since the respondents have already initiated steps for framing of the guidelines, this Court does not consider it apposite to issue any orders at this stage. The petition is accordingly disposed of.

5. We, however, clarify that this order would not impede any individual or entity whose account is frozen and who may aggrieved, to avail of remedies in accordance with law.

**Sd/-  
(VIBHU BAKHRU)  
CHIEF JUSTICE**

**Sd/-  
(C.M. POONACHA)  
JUDGE**

KMV  
List No.: 2 SI No.: 5