ITEM NO.27 COURT NO.1 SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SUO MOTO WRIT PETITION(CRIMINAL) No(s). 3/2025

IN RE: VICTIMS OF DIGITAL ARREST RELATED TO FORGED DOCUMENTS

Petitioner(s)

(IA No. 41249/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 173572/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 135198/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 166780/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 142594/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 107054/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 109672/2026 – CLARIFICATION/DIRECTION, IA No. 167919/2026 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 28103/2026 - EXEMPTION FROM FILING O.T., IA No. 285112/2025 - EXEMPTION FROM FILING O.T., IA No. 109669/2026 - EXEMPTION FROM FILING O.T., IA No. 28094/2026 - EXEMPTION FROM FILING O.T., IA No. 276131/2025 - INTERVENTION APPLICATION, IA No. 28085/2026 - INTERVENTION APPLICATION, IA No. 107049/2026 - INTERVENTION APPLICATION, IA No. 272915/2025 - INTERVENTION APPLICATION, IA No. 15481/2026 - INTERVENTION APPLICATION, IA No. 41247/2026 - INTERVENTION APPLICATION, IA No. 302659/2025 - INTERVENTION APPLICATION, IA No. 167477/2026 - INTERVENTION APPLICATION, IA No. 301598/2025 - INTERVENTION APPLICATION, IA No. 67786/2026 - INTERVENTION APPLICATION, IA No. 166779/2026 - INTERVENTION APPLICATION, IA No. 285111/2025 - INTERVENTION APPLICATION, IA No. 109667/2026 - INTERVENTION APPLICATION, IA No. 142272/2026 - INTERVENTION APPLICATION, IA No. 173932/2026 - INTERVENTION APPLICATION, IA No. 55879/2026 - INTERVENTION APPLICATION, IA No. 142251/2026 - INTERVENTION APPLICATION, IA No. 135200/2026 – INTERVENTION/IMPLEADMENT, IA No. 40968/2026 – INTERVENTION/ IMPLEADMENT, IA No. 70182/2026 – INTERVENTION/IMPLEADMENT, IA No. 124695/2026 – INTERVENTION/IMPLEADMENT, IA No. 121570/2026 – INTERVENTION/IMPLEADMENT, IA No. 28100/2026 – INTERVENTION/ IMPLEADMENT, IA No. 65780/2026 – INTERVENTION/IMPLEADMENT, IA No. 284590/2025 – INTERVENTION/IMPLEADMENT, IA No. 283419/2025 – INTERVENTION/IMPLEADMENT, IA No. 173574/2026 – INTERVENTION/ IMPLEADMENT, IA No. 28102/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 55884/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 28093/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 77502/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 67787/2026 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

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NITIN TALREJA
Date: 2026.01.07
10:14:04 IST
Reason:

WITH

W.P.(Crl.) No. 15/2026 (X)

SLP(Crl) No. 4942/2026 (II-A)
(IA No. 65641/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 65644/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SMW(Crl) No. 3/2026 (X)

W.P.(Crl.) No. 276/2026 (X)

Date : 29-10-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

Ms. N.S. Nappinai, Sr. Adv. (A.C.)
Ms. Sthavi Asthana, AOR
Mr. K.V.D. Kishore Kumar, Adv.
Mr. Shubham Chandra, Adv.

For Petitioner(s) :Ms. Nupur Sharma, Adv.
Mr. Manan Popli, Adv.
Mr. Abhinav Agrawal, AOR
Ms. Apurva Gaur, Adv.
Ms. Priya Tripathi, Adv.
Mr. Piyush Bhardwaj, Adv.
Mr. Shivam Sengupta, Adv.

Mr. Shreekant Neelappa Terdal- 909, AOR

Dr. Mahendra Limaye, Adv.
Mr. Alok Sharma, Adv.
Dr. Tushar Mandlekar, Adv.
Mr. Raghvendra Kumar- 3443, AOR

By Courts Motion

For Respondent(s) :Mr. R. Venkataramani, Attorney General for India
Mr. Anandh Venkataramani, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Ms. Anjali Agrawal, Adv.
Mr. Kartikay Aggarwal, Adv.
Ms. Gayathri Venugopal, Adv.

Mr. Dr. Mahendra Limaye, Adv.
Mr. Alok Sharma, Adv.
Mr. Rathod Rajesh Ranjit, AOR
Mr. Naresh Kr. Srivastava, Adv.
Mr. Abhay Warik, Adv.

Mr. Ramesh Babu M.R., Sr. Adv.
Ms. Manisha Singh, Adv.

Ms. Nisha Sharma, Adv.
Ms. Tanya Chowdhary, Adv.
Ms. Mukti Chowdhary- 1792, AOR

Mr. Rajesh Kumar Chaurasia- 2533, AOR
Mr. Gaurav Gupta, Adv.
Mr. Surya Pratap, Adv.
Mr. Hem Kumar, Adv.
Mr. Sujeet Kumar, Adv.
Mr. Shailendra Kumar Nirmal, Adv.

Mr. Dharav Shah, Adv.
Mr. Pranaya Goyal- 2480, AOR

Mr. R. Sudhinder, Adv.
Ms. Ekta Bhasin, Adv.
Ms. Aastha Trivedi, Adv.
Mr. Anand Amit, Adv.
Ms. Anushka Sharma, Adv.
Mr. R. Gopalakrishnan- 1573, AOR

Mr. Sumit Goel, Adv.
Ms. Sreeparna Basak, Adv.
Mr. Aditya Sharma, Adv.
Mr. Abhishek Thakral, Adv.
Ms. Sharen Joel, Adv.
Mr. Kshitij Padhi, Adv.
Mr. Aditya Francis, Adv.
M/S. Parekh & Co.- 1370, AOR

Mr. D. Bharat Kumar, Adv.
Mr. Aman Shukla, Adv.
Mr. M. Chandrakanth Reddy, Adv.
Mr. Thandra Sai Yeshwanth Goud, Adv.
Mr. Kadali Vali Baba, Adv.
Mr. Gopal Jha, AOR
Mr. Nand Kishore Sharma, Adv.

Mr. Shyam Gopal, AOR
Mr. P. Krishnadevan, Adv.
Ms. Nikita Bhardwaj, Adv.
Mr. Sankara Narayanan B, Adv.

Ms. Aishwarya Mishra- 4062 , AOR
Mr. Anuj Chauhan, Adv.
Mr. S.surender, Adv.
Mr. Shubham Garg, Adv.
Mr. Lakshit Rajgaur, Adv.
Ms. Akansha Singh, Adv.

Mr. Akshay Amritanshu- 3121, AOR

Mr. Pradeep Kumar Rai, Sr. Adv.
Mr. Ali Mohd Magrey, Sr. Adv.
Mr. N Pradeep Sharma, Adv.
Mr. Vinay Kumar Rai, Adv.
Mrs. Rajshree Rai, Adv.
Mr. Ashok Pratap Rai, Adv.
Ms. Modoyia Kayina, Adv.
Mr. Vijay Kumar Seth, Adv.
Mr. Shivam Tyagi, Adv.
Mr. Abhinav S Raghuvanshi, Adv.
Mr. Anil Kumar Agarwal, Adv.
M/S. R And R Law Associates- 2851, AOR

Mr. K.S.krgawkar Sr. Advocate/Adv.
Mr. Kailash Prashad Pandey- 2399, AOR
Mr. Dinesh Kumar Mudgal, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Amit Kumar Chawla, Adv.
Mr. Akhileshwar Jha, Adv.
Mr. Anupam Kumar, Adv.
Mr. Varun Varma, Adv.
Mr. Satvik Sharma, Adv.
Mr. Narendra Pal Sharma, Adv.
Ms. Savita Kaushik, Adv.
Ms. Swati Vishan, Adv.
Ms. Shreya Jha, Adv.
Ms. Asmita Mishra, Adv.
Ms. Rashmi Prava Mohanty, Adv.
Ms. Divya Mishra, Adv.
Ms. Suresh Kumari, Adv.
Ms. Charanjeet Sidhu, Adv.
Ms. Niharika Dwivedi, Adv.
Mr. Mahi Pal Singh, Adv.
Mr. Kailash Chandra Mudgal, Adv.
Mr. Rakesh Vishan, Adv.
Mr. Kamlesh Kumar Pandey, Adv.
Mr. Kishor Kumar Pandey, Adv.
Mr. Lalit Dixit, Adv.
Mr. Honey Sharma, Adv.
Mr. Pawan Kumar, Adv.
Ms. Seema Yadav, Adv.

Mr. Ajay Kumar- 1637, AOR
Mr. Nishesh Sharma- 2522, AOR

Mr. Vishnu Sharma, Standing Counsel, Adv.
Ms. Madhusmita Bora, AOR
Mr. Riju Raj Singh Jamwal, Adv.
Ms. Pavithra V., Adv.
Mr. Vaibhav Chechi, Adv.

Mr. Mukesh Kumar Maroria- 2324, AOR

Mr. Rituparn Uniyal- 4135, AOR
Mr. Abhishek Usha Singh, Adv.
Ms. Deeksha Saggi, Adv.

Mr. James P. Thomas- 2398, AOR
Mr. Ravi Sagar, Adv.
Ms. Glorina George, Adv.

Mr. Divyakant Lahoti- 2188, AOR
Mr. Kartik Lahoti, Adv.
Ms. Akanksha Soni, Adv.
Ms. Shubheksha Dwivedi, Adv.
Ms. Gayatri Bharadwaj, Adv.
Ms. Madhur Jhavar, Adv.
Ms. Vindhya Mehra, Adv.
Mr. Siddharth Tripathi, Adv.
Ms. Shubhi Vijaywargiya, Adv.
Mr. Parth Rathore, Adv.
Mr. Aryan Tomar, Adv.

Mr. Vivek Sharma- 3260, AOR
Dr. Vijay Kumar Sharma, Adv.

Mr. Basava Prabhu S Patil, Adv. Gen.
Mr. Sameer Abhyankar- 2516, AOR
Mr. Krishna Rastogi, Adv.
Mr. Aryan Srivastava, Adv.
Mr. Arijeet Shukla, Adv.
Mr. Samarth Kashyap, Adv.
Mr. Nalin Talwar, Adv.

Mr. S. Mahendran- 1526, AOR

Ms. Akansha- 4029, AOR
Ms. Eliza Barr, Adv.

Mr. Pavan Kumar- 1217, AOR
Mrs. Neelam, Adv.
Mr. Akhlesh Kumar Soni, Adv.
Mr. Sandeep Ratra, Adv.
Mr. Rajesh Kumar, Adv.

Mr. Pavan Kumar- 1217, AOR
Mrs. Neelam, Adv.
Mr. Akhlesh Kumar Soni, Adv.
Mr. Sandeep Ratra, Adv.
Mr. Rajesh Kumar, Adv.

Mr. Lenin Singh Hijam, Attorney General
Mr. Pukhrambam Ramesh Kumar- 1593, AOR
Mr. Karun Sharma, Adv.
Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Vaibhav Srivastava, A.A.G.
Ms. Sugandha Anand- 3167, AOR
Mr. Chetan Anand Mohapatra, Adv.
Mr. Mohd Danish Azad, Adv.

Mr. Ramesh Babu M.r, Sr. Adv.
Ms. Manisha Singh, Adv.
Ms. Nisha Sharma, Adv.
Ms. Tanya Chowdhary, Adv.
Ms. Mukti Chowdhary- 1792, AOR

Mr. Anurag Kulharia- 4427, AOR
Mr. Harshad V. Hameed- 2127, AOR

Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Ms. Madhavi Agarwal, Adv.
Mr. Maj. Nirvikar Singh, Adv.
Mr. E. C. Agrawala- 177, AOR

Mr. Kapil Sibal, Sr. Adv.
Mr. Mukul Rohatgi, Sr. Adv.
Mr. Vivek Reddy, Sr. Adv.
Mr. Shashank Mishra, Adv.
Ms. Swati Agarwal, Adv.
Ms. Akshi Rastogi, Adv.
Ms. Ritika Bansal, Adv.
Ms. Anupama Reddy Eleti, Adv.
Ms. Aparajita Jamwal, Adv.
Ms. Devanshi Singh, Adv.
Mr. Pival Peddireddi, Adv.
Mr. S. S. Shroff- 710, AOR

Mr. Vishnu Sharma- 1423, AOR
Mr. Nirmal Kumar Pandey (vc), Adv.
Mrs. Anupama Sharma, Adv.
Mr. Amar Jyoti Sharma, Adv.
Mr. Neeraj Kumar Vats, Adv.
Ms. Prerna Panwar, Adv.
Ms. Saanvi Singh, Adv.
Ms. Srishti Vats, Adv.
Mr. Nitin Bajpai, Adv.

Mr. Sudarshan Singh Rawat- 1661, AOR
Mr. Madhav Gupta, Adv.
Mr. Sunny Sachin Rawat, Adv.

Mr. Avijit Mani Tripathi- 2648, AOR
Mr. Z.H. Isaac Haiding, Adv.
Mr. Daniel Stone Lyngdoh, Adv.
Ms. Marbiang Khongwir, Adv.

Mr. Avijit Mani Tripathi, AOR
Mr. Shaurya Sahay, Adv.
Mr. Aditya S. Pandey, Adv.
Mr. Marbiang Khongwir, Adv.
Ms. Preeti Sehrawat, Adv.

Mrs. Yugandhara Pawar Jha- 2514, AOR

Ms. K. V. Bharathi Upadhyaya- 1589, AOR
Ms. Pritama, Adv.
Mr. Sufyan Hasan, Adv.
Ms. Shaivani Gupta, Adv.

Ms. Disha Singh- 3175 , AOR
Ms. Eliza Barr, Adv.
Ms. Akansha, Adv.
Ms. Anjali Saxena, Adv.
Mr. Govind Sharma, Adv.
Mr. Saanil Patnayak, Adv.

Mr. R. Venkataramani, Attorney General for India
Mr. Tushar Mehta, Solicitor General
Mr. Kanakamedala Ravindra Kumar, A.S.G.
Mr. Mayank Pandey, Adv.
Mr. Madhav Sinhal, Adv.
Ms. Mili Baxi, Adv.
Mr. Gaurav Arya, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Raman Yadav, Adv.
Mr. Kartikay Aggarwal, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Mr. Amrish Kumar- 2986, AOR
Dr. Arun Kumar Yadav, Adv.
Mr. B.l.n Sanjit, Adv.
Ms. Rajeshwari Shankar, Adv.
Mr. Mukesh Kumar Singh, Adv.
Mr. Divyam Aggarwal, Adv.

Mr. Manoj K. Mishra, AOR
Mr. Umesh Dubey, Adv.
Ms. Madhulika, Adv.
Mr. Amulya Dev Mishra, Adv.
Ms. Shriji Mishra, Adv.
Mr. Amrendra Kumar Singh, Adv.
Mr. Shashank Tiwari, Adv.
Mr. Sarthak Tiwari, Adv.

Mr. P. I. Jose- 1206, AOR
Mr. Jose Augustine, Adv.
Mr. Dr. Mahesh Y Reddy, Adv.
Mr. Atul Arvind, Adv.

Mr. Tushar Mehta, Solicitor General
Mr. Shreekant Neelappa Terdal- 909, AOR
Mr. Mayank Pandey, Adv.
Mr. Madhav Sinhal, Adv.
Mr. Gaurav Arya, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Kartikeya Agarwal, Adv.
Mr. Chitvan Singhal, Adv.
Ms. Mili Joy Baxi, Adv.
Mr. Mukesh Kr. Verma, Adv.
Mr. Varun Chugh, Adv.
Ms. Indira Bhakar, Adv.
Mr. Krishna Kant Dubey, Adv.

Mr. Prashant Singh- 3583, AOR

Mr. Kamal Kumar Pandey, Adv.
Mr. Mukesh Verma, Adv.
Mrs. Vatsala Tripathi, Adv.
Ms. Manisha, Adv.
Mr. Shashank Singh, AOR
Mr. G P Mahto, Adv.

Ms. Manisha Ambwani- 2394, AOR

Ms. Ruchira Goel- 2477, AOR

Mr. Jai Anant Dehadrai- 4013, AOR
Ms. Yashvi Aswani, Adv.
Mr. Ram Pravesh Dubey, Adv.
Mr. Apurva Chatterji, Adv.
Mr. Rakshan Saini, Adv.

Mr. Amit Kumar Pathak- 2647, AOR

Mr. Sanjai Kumar Pathak, AOR
Mrs. Shashi Pathak, Adv.
Mr. Arvind Kumar Tripathi, Adv.
Ms. Anamika Mishra, Adv.

Mr. Guntur Pramod Kumar- 2788, AOR
Ms. Prerna Singh, Adv.
Mr. Shreeyash Uday Lalit, Adv.
Ms. Rakshita, Adv.

Mr. Shovan Mishra- 2456, AOR

Mr. Binay Kumar- 4435, AOR

Mr. Shiv Mangal Sharma, A.A.G.
Ms. Sonali Gaur, Adv.
Mr. Saurabh Rajpal- 3577, AOR

Dr. Mahendra Limaye, Adv.
Mr. Alok Sharma, Adv.
Ms. Nayan Gupta, Adv.
Mr. Nisheeth Dixit, Adv.
Mr. Abhay Warik, Adv.
Ms. Sthavi Asthana- 4038, AOR

Mr. Aravindh S.- 2008, AOR
Mr. Aadithya Aravindh, Adv.
Ms. Anika Bansal, Adv.

Mr. Ravindra Sadanand Chingale- 2659, AOR

Mr. Avishkar Singhvi, A.A.G.
Mr. Rajesh Gulab Inamdar- 3386, AOR
Mr. Shashwat Anand, Adv.
Mr. Divya Prabha Singh, Adv.
Ms. Sakshi Raman, Adv.
Ms. Rakshita Singh, Adv.

Mr. Aaditya Aniruddha Pande- 3259, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Shrirang B. Varma, Adv.
Mr. Sourav Singh, Adv.
Ms. Chitransha Singh Sikarwar, Adv.

Ms. Baani Khanna, AOR
Mr. Robin Singh, Adv.
Mr. Kapil Balwani, Adv.
Ms. Komal Thakkar, Adv.
Ms. Tejal Tapaswani Nagauri, Adv.

Ms. Swati Ghildiyal, AOR
Ms. Sonakshi Sinha, Adv.

Mr. Apoorv Shukla- 2830, AOR
Ms. Nidhi Jaswal- 2955, AOR

Mr. Chinmoy Sharma, Sr. A.A.G.
Mr. Shuvodeep Roy- 1672, AOR
Mr. Saurabh Tripathi, Adv.
Mr. Deepayan Dutta, Adv.
Mr. Kumar Abhishek, Adv.
Mr. Irfan Hasieb, Adv.
Mr. Vijay Deora, Adv.
Mr. Aditya Agarwal, Adv.

Mr. Rajiv Kumar Virmani- 3554, AOR
Mr. Akashdeep Rajput, Adv.

Mr. Ahanthem Henry, Adv.
Mr. Ahanthem Rohen Singh, Adv.

Mr. Mohan Singh, Adv.
Mr. Aniket Rajput, Adv.
Ms. Khoisnam Nirmala Devi, Adv.
Mr. Yeshu Mehta, Adv.
Mr. Tanay Hegde, Adv.
Mr. Kumar Mihir- 2116, AOR

Mr. Prashant Kumar Umrao- 3563, AOR

Dr. Sunil Kumar Agarwal- 3382, AOR
Mr. Amarjeet Sahani, Adv.
Ms. Shweta Bhardwaj, Adv.
Mrs. Mamta Singh, Adv.
Mrs. Amita Agarwal, Adv.
Mr. Anuj Kumar Agarwal, Adv.
Mr. Madan Lal Daga, Adv.
Mr. Manoj Kumar Yadav, Adv.
Mr. Prakhar Dixit, Adv.
Mr. Daleep Singh, Adv.
Mr. Fahimuddin Khan, Adv.
Dr. Prasangi Jannu, Adv.
Mr. Dere Kishor Shankar, Adv.

Mr. Rajesh Srivastava- 1344, AOR
Mr. Rahul Kumar, Adv.
Mr. Anil Kumar Gaur, Adv.
Mrs. Deepika Singh, Adv.
Ms. Riddhi Gupta, Adv.

Mr. Vikram Hegde, AOR
Ms. Karina Chawla, Adv.
Mr. Subramanian Rajaseshan, Adv.

Ms. K. Enatoli Sema, AOR
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.
Ms. Yanmi Phazang,, Adv.

Ms. Devina Sehgal, AOR
Mr. Srikanth Varma Mudunuru, Adv.

Mr. Apoorv Shukla, Adv.
Mr. Vinayak Sharma, Adv.
Mrs. Prabhleen A. Shukla, Adv.
Mr. Ravinder Kumar Yadav, AOR

Mr. Abhishek Ritabh Shukla- 3307, AOR
Mr. Naman Jain, Adv.
Dr. Ashish Asthana, Adv.

Mr. Aljo K. Joseph- 2529, AOR
Mr. Ajay M, Adv.

Mr. Sashwat Mishra, Adv.
Mr. Naveen Sharma- 2407, AOR
Ms. Charu Ambwani- 2701, AOR

Mr. Tomy Chacko, AOR
Ms. Lakshmi Kg, Adv.
Ms. Tualia Rehman, Adv.
Mr. Rupesh Kemwal, Adv.
Mr. Mustafa Ali, Adv.

Mr. Amit Sharma, AOR
Mr. Dipesh Sinha, Adv.
Ms. Pallavi Barua, Adv.
Ms. Aparna Singh, Adv.

Mr. B. Karunakaran- 3845, AOR
Mr. Akhil Krishnan A, Adv.

Mr. Kanakamedala Ravindra Kumar, ASG
Mr. Devraj Bhattacharjee, Adv.
Ms. Rajeshwari Shankar, Adv.
Mr. Mayank Pandey, Adv.
Mr. Mukesh Kumar Singh, Adv.
Mr. Divyam Aggarwal, Adv.
Mr. Aditya Kumar, Adv.

Mrs. Ashok Chhabra, Adv.
Mr. Mohit D. Ram, Adv.
Mr. Nayan Gupta, Adv.
Mr. Tejas Rai, Adv.

Dr. Ravindra Chingale, Adv.
Mr. Karan Singh Rajput, Adv.
Ms. Sumbul A., Adv.

Mr. Shekhar Raj Sharma, AAG
Ms. Nidhi Narwal, Adv.
Ms. Srishti Jain, Adv.
Mr. Gyaaneshwar Joshi, Adv.
Mr. Anurag Kulharia, AOR

Mr. Vishnu Sharma, AOR
Mr. Rakesh Kumar, Adv.

Mr. R. Venkataramani, Attorney General for India
Ms. Ameyavikrama Thanvi, Adv.
Ms. Anjali Agrawal, Adv.
Mr. Anandh Venkataramani, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Mr. Chitvan Singhal, Adv.
Ms. Yamika Khanna, Adv.
Ms. Deboshree Mukherjee, Adv.
Mr. Kartikay Aggarwal, Adv.

Ms. Thajaswini C.B., Adv.
Ms. Gayathri Venugopal, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. IA No.167477/2026 (application for intervention) is allowed. The applicant(s) is permitted to intervene in the matter.

2. With reference to the various suggestions made and consequential directions proposed by the learned *Amicus Curiae* in her Note dated 14.10.2026, the learned Attorney General for India has placed on record a Note dated 28.10.2026, suggesting certain directions on behalf of the Union of India.

3. While we are inclined to issue appropriate directions, having regard to the suggestions made by the learned *Amicus Curiae* as well as the Union of India, we consider it appropriate, in the first instance, to examine the Reserve Bank of India (Know Your Customer) Amendment Directions, 2026, which are proposed to be notified by 30.11.2026 and operationalized by 31.12.2026.

4. We reiterate and emphasize that the regulatory measures proposed by the Reserve Bank of India (RBI) must mandate and incorporate suitable provisions that require financial institutions to indemnify victims of digital arrest scams and other cyber frauds and pay suitable compensation not less than the amount lost by the customer, where it is established that the fraud or crime occurred due to the failure on the part of the financial institution to exercise due diligence in preventing or reporting the act/incident.

5. We have also emphasised in the past various preventive safeguards that must be mandated for every financial institution.

These may include temporarily suspending unusual or suspicious transactions inconsistent with the account's past transaction history, automatically intimating such transactions to the nearest police station, and subsequently physically verifying the reported transactions to ascertain their genuineness.

6. In order to ensure effective implementation of the regulatory measures proposed by the RBI, as well as the directions issued by us, we further direct the RBI to submit a list of all the authorized financial institutions before this court on the next date of hearing.

7. Meanwhile, we also direct all the Law Enforcement Agencies in States and Union Territories to submit the status of the FIRs registered thus far in connection with digital arrest scam cases and the resultant investigation undertaken. They shall also suggest appropriate measures for the prevention, detection and prosecution of such cases. The Directors General of Police of all States and Union Territories shall ensure compliance with these directions. The information furnished to this Court shall simultaneously be forwarded to the Indian Cyber Crime Coordination Centre (I4C).

8. WhatsApp LLC (A Meta Company) and other concerned intermediaries are also directed to apprise this Court of the measures they propose to undertake to prevent the digital arrest scams and related cybercrimes. They shall also simultaneously submit their proposals to the I4C.

9. Post this matter for further consideration on 23.11.2026.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR