Revised for appearance

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)

Signature Not Verified
Digitally signed by
NITIN TALREJA
Date: 2026.11.19
15:54:28 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.

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HON'BLE MRS. JUSTICE V. MOHANA

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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

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)

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.

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HON'BLE MRS. JUSTICE V. MOHANA

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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