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Digital Arrest in India: A Case of Cyber Fraud and Its Legal Aspects.

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Abstract

Digital arrest frauds are among the most concerning hazards in the rapidly evolving digital world, where cyber scams have grown more complex. Digital arrest scams, in contrast to other types of cyber fraud, use criminals posing as law enforcement officers to coerce victims into sending money or disclosing private information. This research paper discussed the legal aspects of digital arrest in India.

Keywords: *Digital arrest, Digital fraud, Cyber Crime, Cyber scam, Cyber fraud.*

1: Introduction

Cybercriminals were restricted to tarnishing websites and playing harmless practical jokes in the early days of the internet. With fraudsters continuously adjusting to new technology and focussing on millions of gullible victims, cyber crime has developed into a complex, dynamic industry in the modern era. Cyber frauds increased in 2024, especially those using digital arrest schemes. Nowadays, these frauds have grown beyond simple internet fraud and already resemble massive operations similar to the notorious Jamtara schemes. High-ranking politicians, journalists, security guards, and even defenceless elderly people are among the increasingly varied targets of these scams. From being a remote threat, cybercrime is now a commonplace, daily occurrence.¹

A heart-wrenching incident of a woman teacher in Uttar Pradesh's Agra has come to light, in which she died of a heart attack after a digital extortion call. The incident dates back to September 30, 2024, when the woman named Malti Verma received a WhatsApp call in which a man identifying himself as a police officer said that his daughter had been arrested in a sex trafficking case. In 2024, Delhi Police and Mumbai Cyber Cell reported several digital arrest frauds, where victims lost lakhs of rupees.²

1. Meaning and Concept :

Cyber fraud is a cyber crime and digital arrest is a form of cyber fraud.

Cyber means an online medium, and **Crime** means any act that is prohibited by law. Therefore, cyber crime refers to any act that is prohibited by law and is committed through an online medium.

Cyber fraud is the act of deceiving or cheating someone using computers, digital devices, or the internet to gain financial or personal benefit unlawfully.

Digital arrest is not a legal concept defined in Indian law, but rather a scam tactic used by cybercriminals.

- Fraudsters impersonate law enforcement officers (CBI, police, or cybercrime officials).
- They contact victims through calls, video calls, or fake notices/emails.
- Victims are told they are involved in a crime (like money laundering, drug trafficking, or illegal parcel shipments).
- To “avoid arrest,” they are made to stay on continuous video calls — a kind of virtual house arrest, hence the name “digital arrest.”
- During this period, scammers extort money, demand online transfers, or steal sensitive personal details.

2. Reason Behind the name ‘Digital Arrest’: The scammers psychologically trap victims by:

- Threatening them with FIRs, warrants, or jail time.
- Forcing them to remain on video calls for hours/days, mimicking detention.
- Demanding “bail money” or “penalty fees” through UPI, bank transfers, or crypto.

3. Occurrence:

From deceptive emails to financial scams and ransomware incidents, cybercriminals employ a variety of strategies to steal personal information and funds. But what causes these frauds to persist? What makes them so successful? Let's examine the main reasons behind cyber scams and how we can safeguard ourselves against becoming victims.

- 1) **Human Behavior & Manipulation Tactics:** A major factor in the success of cyber scams is human mistake. Cybercriminals utilize social engineering methods to coerce individuals into disclosing confidential information. Many people lack awareness of typical scam strategies,

was-digitally-arrested-in-agra-died-of-heart-attack-you-too-be-careful-1102090-2024-10-04 (last visited on August 21, 2025).

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https://www.niti.gov.in/sites/default/files/202504/Digital_Arrest_The_Modern_Day_Cyber_Scam.pdf

² available at: <https://bazaar.business today.in/india/story/teacher->

rendering them vulnerable targets. Fraudsters also³ take advantage of emotional triggers such as fear (threatening legal repercussions), excitement (imaginary lottery winnings), or urgency (phony emergency fund pleas). Cybercriminals frequently⁴ pretend to be trustworthy entities like banks, government bodies, or even close acquaintances.

2) **Insufficient Cybersecurity Habits:** Cybercriminals often take advantage of inadequate security practices, allowing them easier access to personal or financial⁵ information. Typical vulnerabilities include using weak passwords and credentials, failing to update software and systems, and neglecting basic security measures.

3) **Quickly Changing Cybercrime Methods:** Cybercriminals continually adapt their techniques to elude security protocols.

4) **Increase in Digital Payments & Financial Fraud⁷**
Threats: With the growth of online transactions, cybercriminals have devised advanced approaches to exploit digital payment systems, such as counterfeit UPI requests & QR codes, card skimming & SIM swapping, and scams related to cryptocurrency & investments.³

5) **Dark Web & Cybercrime Syndicates:** The dark web functions as a marketplace for stolen information, malware, and illicit activities. Cybercrime has transformed into a structured industry where criminals^o trade stolen data, provide identity theft services, and even offer Ransomware-as-a-Service (RaaS).^o

6) **Insufficient Cyber Legislation & Enforcement:** In spite of rising cyber threats, many scams remain unpunished due to slow responses from law enforcement, challenges posed by cross-border crimes, and a lack of awareness and policies regarding cybercrime.⁴

4. Common Modus Operandi of Scammers:

1) **Initial Approach:** Scammers impersonate law enforcement or government agents (such as CBI, ED, Customs, Interpol, etc.) through phone calls, emails, WhatsApp messages, or fraudulent official letters.⁵

2) **Instilling Fear:** The victim is wrongly charged with offenses like money laundering or cybercrime and warned about immediate arrest if they do not respond swiftly.

Digital Fabrication: To enhance their credibility, scammers provide counterfeit documents, altered videos, or manipulated arrest warrants, making their claims seem legitimate.

Intimidation: Victims are threatened with arrest, freezing of their bank accounts, or cancellation of passports. They are instructed to keep the matter secret from family or lawyers and urged to pay a “security deposit” or “fine.”

Transaction Methods: Payments are requested through digital means such as UPI, cryptocurrency, or prepaid gift cards, and at times involve remote access to banking details.⁶

6) **Disappearance:** After the victim sends the funds, the scammers disappear, leaving the victim to realize they have been scammed only when trying to confirm the situation with real authorities.

Money Laundering: The laundered money is frequently broken into smaller amounts, routed through various accounts, and ultimately transferred to offshore accounts for illegal purposes.

I. LEGAL PERSPECTIVE

Indian law (BNS & IT Act) does not recognize digital arrest.

It is a **fraud/scam** under:

BNS Section –319 & 318 (cheating and impersonation), **Section 351** – Criminal intimidation
IT Act Sections 66C & 66D (identity theft, cheating by impersonation using

II. JUDICIAL RESPONSE

Key aspects of judicial approaches:

1) **Suo Moto Cognizance:** The Rajasthan High Court has taken suo moto (on its own motion) cognizance of the issue, highlighting the severity of the problem.

2) **No Legal Basis for Digital Arrests:** Courts have clarified that there is no concept of digital arrest under Indian law.

3) **Applicable Laws:** While digital arrest is not a legal term, the Bhartiya Nyaya Sanhita, 2023 (BNS) and Information Technology Act, 2000 (IT Act) provide

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https://www.niti.gov.in/sites/default/files/20204/Digital_Arrest_The_Modern_Day_Cyber_Scam.pdf

⁴ *Ibid.*

⁵

https://www.niti.gov.in/sites/default/files/20204/Digital_Arrest_The_Modern_Day_Cyber_Scam.pdf

⁶ *Ibid.*

legal recourse against the actions of scammers

- 4) **Convictions and Sentences:** In a landmark case, nine individuals were sentenced to life imprisonment in West Bengal for their involvement in a digital arrest scam, according to India Today.
- 5) **Combating the Scams:** Courts are directing the government to raise awareness, the Reserve Bank of India to take steps to prevent fraudulent transactions, and law enforcement agencies to enhance coordination.

Recent High Profile Cases

In a recent incident, a prominent doctor based in Noida, was targeted by scammers posing as officials from the Telecom Regulatory Authority of India (TRAI), as per reports. The fraudsters accused her of using her phone number to distribute illegal content. Under duress, doctor transferred Rs. 60 lakh before realising the scam.⁷

In a similar case involved a 72-year-old woman from South Delhi, who was deceived by scammers impersonating police personnel. The fraudsters extorted Rs. 83 lakh from her by fabricating a legal issue requiring immediate payment.⁸

In a rare cyberfraud case, a 59-year-old executive in Bengaluru was duped of Rs. 59 lakh by scammers who conducted a fake online trial, complete with a simulated courtroom and judge.

In Chandigarh, a woman lost over ₹11 lakh after being told her Aadhaar was linked to a narcotics parcel. The scammers showed her forged FIR documents and convinced her to transfer the money as bail.⁹

In Mysuru, two senior citizens were conned out of ₹1.92 crore by fraudsters impersonating NIA officers.

They were kept on long video calls until they surrendered their life savings.

In Hyderabad, a retired RBI employee transferred ₹49 lakh over several days, fearing immediate arrest.

According to the Indian Cyber Crime Coordination Centre (I4C), in 2024, over 92,323 cases of digital arrest scams were reported in India. These scams involved victims being tricked by fraudsters impersonating law enforcement or regulatory officials. The total financial loss from these scams was estimated at ₹2,140.99 crore.¹⁰

The emotional toll is equally devastating, victims often experience severe anxiety, depression, and in some cases, suicide, driven by the fear instilled during the scam.

Recent Scam incidents (2025)

1. Navi Mumbai – Senior Citizen Scammed of ₹21 Lakh

A 70-year-old woman from Koparkhairane was deceived by fraudsters impersonating the Police Commissioner via video call. They falsely accused her of terrorist funding, kept her under “digital house arrest,” and extorted ₹21 lakh between August 8–19, 2025. Police have frozen ₹3 lakh from the Rajasthan-linked account.

2. Khandwa (Madhya Pradesh) – Elderly Couple Duped of ₹50 Lakh

An elderly couple from Pandhana tehsil was scammed over a 13-day digital arrest operation. Posing as Mumbai police, fraudsters coerced them into staying locked at home and transferring ₹49.5 lakh via fixed deposits to accounts in Hyderabad and Chandigarh—plus an extra ₹70,000 for bail. The scam unraveled when the wife revealed it to family during Janmashtami. A police case is underway.

⁷ available at: <https://tgcab.in/wp-content/uploads/2024/11/Digital-arrest-Scams.pdf> (last visited on August 21, 2025).

⁸ *Ibid.*

⁹ available at: <https://www.ujjivansfb.in/banking-blogs/personal-finance/digital-arrest-scam->

india#:~:text=Two%20senior%20citizens%20were%20conned,they%20surrendered%20their%20life%20savings.&text=A%20retired%20RBI%20employee%20transferred,several%20days%20fearing%20immediate%20arrest. (last visited on August 21, 2025).

¹⁰ *Ibid.*

3. Pune – Retired Couple Loses ₹26.38 Lakh

Between July 28 and August 6, 2025, a retired couple from Pune’s NIBM Road received emergency calls from scammers posing as officials (e.g., TRAI, IAS). Accused of money laundering, they shared bank information and transferred funds under the guise of verification. The police are now investigating.

4. Nagpur – WCL Retired Engineer Duped of ₹23.71 Lakh

A 75-year-old retired engineer, contacted via WhatsApp by fraudsters posing as Colaba police and ED officials, was threatened with “digital arrest.” Convinced, he deposited ₹23.71 lakh. Investigation revealed his account was rented out by a railway employee in Odisha—who has since been arrested and ₹19.90 lakh frozen for restitution.

The above four cases occurred in August 2025.

5. Maharashtra- Businessman was cheated – ₹58.13 Crore (Oct 2025)

Maharashtra Police busted a digital arrest fraud ring after a 72-year-old Mumbai businessman was cheated of ₹58.13 crore. Scammers impersonated law enforcement officials and coerced the victim into transferring large sums of money. Seven accused were arrested in the operation.

6. Bangalore- A woman loses ~₹31.8 Crore (Nov 2025)

A 57-year-old Bengaluru woman lost nearly ₹31.83 crore after fraudsters posing as CBI officers kept her under a digital arrest for about six months. They coerced 187 bank transfers before she realized it was a scam.

Major Digital Arrest Scam Cases (2026)

1. Pune Cyber Police Arrest Suspect in ₹10.74 Crore Case (Mar 2026)

Pune Police arrested a third accused in a major digital arrest scam worth ₹10.74 crore. The gang had threatened a senior citizen by claiming a fake bank account was being used in illegal activity, forcing them to transfer savings into secure accounts. Police froze about ₹1.34 crore of the cheated amount so far.

2. 74-Year-Old Woman Duped of ~₹45.6 Lakh (Mar 2026)

A 74-year-old woman in Baramati (Maharashtra) was tricked into believing she was digitally arrested, leading to a ₹45.60 lakh loss via cyber fraud. Scammers used video calls and threats to intimidate the victim.

3. Thane Man Defrauded of ₹1.56 Crore (Mar 2026)

In Thane (Maharashtra), a 64-year-old man lost ₹1.56 crore after fraudsters fooled him with a digital arrest threat. After realizing the scam, the victim filed a cybercrime complaint.

4. Navi Mumbai Retired Clerk Scammed of ~₹26.4 Lakh (Mar 2026)

A 63-year-old retired bank clerk from near Navi Mumbai was defrauded of about ₹26.4 lakh by a group posing as National Investigation Agency (NIA) officials on WhatsApp. He was pressured to transfer his retirement savings under the false promise of resolution.

5. Senior Citizen in Pune Loses ₹2.74 Crore (Mar 2026)

An 82-year-old retired manager in Pune was kept under a “digital arrest” illusion for more than two months, resulting in a loss of ₹2.74 crore. Scammers impersonated CBI and Mumbai Crime Branch officials via messaging apps.

Landmark Convictions & Legal Outcomes

India’s First Digital Arrest Conviction: 9 Sentenced To Life By Bengal Court, 18 July 2025: (West Bengal): In a landmark judgment on July 19, 2025, a Kalyani court (Nadia district) sentenced nine individuals to life imprisonment for defrauding a retired scientist of ₹1 crore in a digital arrest scam dating back to October 2024. The trial was expedited—completed in eight months—with charges under the BNS and IT Act. This marks the first digital arrest conviction in India.

In a historic judgment, a court in West Bengal on Friday pronounced life imprisonment for nine individuals in the country’s first conviction in a digital

arrest cyber fraud case. The 70-year-old victim lost ₹1 crore and was digitally arrested for almost seven days. The verdict was delivered by the Kalyani court in Nadia district, marking a significant milestone in India's fight against the rise in cybercrime.¹¹

The sentencing was announced after the court found the accused guilty on Thursday, following a trial that concluded within eight months of the incident. The additional sessions judge delivered the verdict on Friday.

The nine convicts have been identified as Md Imtiyaz Ansari, Shahid Ali Shaikh, Shahrukh Rafik Shaikh, Jatin Anup Ladwal, Rohit Singh, Rupesh Yadav, Sahil Singh, Pathan Sumaiya Banu, Pathan Sumaiya Banu, and Faldu Ashoke. Four of the convicts are from Maharashtra, three from Haryana and two from Gujarat.¹²

“This is the first conviction and sentencing ever in any digital arrest case in the country. The custody trial started on February 24, 2025 and ended within 4.5 months. It took only eight months to finish the entire trial process and convict them from the date of incident. This will be a landmark moment for us,” Special Public Prosecutor Bivas Chatterjee said.¹³

Following the complaint, on November 6, 2024, the Cyber Crime Police Station in Ranaghat initiated an investigation, which revealed that the calls were made from Cambodia using an Indian SIM card. The accused operated a nationwide network and had victimized over 100 individuals in similar scams.

A total of 13 people were arrested across Maharashtra, Haryana, Gujarat, and Rajasthan. Of them, nine were chargesheeted and later convicted under multiple sections of the Bharatiya Nyaya Sanhita (BNS) and Information Technology (IT) Act, including charges of criminal breach of trust, forgery, impersonation, conspiracy, and identity theft.

The successful prosecution of this case sets a legal precedent and may act as a deterrent against similar cyber-crimes in the future. Authorities continue to urge

the public to remain vigilant against digital fraud and report suspicious activities promptly.

Lucknow – First in Uttar Pradesh: In a significant precedent for Uttar Pradesh, a female doctor was defrauded of ₹85 lakh by an impersonator claiming to be a CBI officer. A Lucknow court convicted the scammer, **Debashish Rai**, under sections including Section 66D of the IT Act, sentencing him to up to **seven years imprisonment** and imposing a ₹68,000 fine.

Shahjahanpur (UP) – ₹1.04 Crore Extorted via Fake Virtual Court: Seven men were arrested for impersonating ED and CBI officials, and even posing as judges and lawyers, to scam a man of ₹1.04 crore through fabricated WhatsApp proceedings. They were charged under several sections of the BNS and IT Act and sent to jail.

Digital Arrest Scams – Suo Moto Hearing in Supreme Court (2026)

In 2026, the Supreme Court, in a suo moto case concerning digital arrest and cyber fraud, issued several important guidelines and directives, which included assigning CBI the responsibility to investigate such cases across the country, directing banks to remain vigilant over suspicious transactions and alert customers, instructing the RBI and the Department of Telecommunications (DoT) to formulate a nationwide SOP, ensuring compensation and protection for victims, guiding government agencies and the Centre to frame appropriate policies, and advising courts to adopt a strict judicial approach, all aimed at ensuring a coordinated, effective, and secure response to digital arrest scams and cyber fraud cases.

III. INITIATIVES OF THE INDIAN GOVERNMENT RELATED TO CYBER CRIME AND DIGITAL ARREST

In response to the growing menace of cybercrime, the Indian government has ramped up efforts to combat digital fraud. Key initiatives include:

¹¹ available at: <https://www.indiatoday.in/india/law-news/story/indias-first-digital-arrest-conviction-nine-people-sentenced-to-life-by-bengal-court-2758042-2025-07-19> (last visited on August 21, 2025).

¹² *Ibid.*

¹³ *Ibid.*

- 1) **Indian Cyber Crime Coordination Centre (I4C):** Established by the Ministry of Home Affairs, this center coordinates national efforts to combat cybercrime and provide cybercrime prevention resources.
- 2) **National Cyber Crime Reporting Portal:** A dedicated portal allows the public to report cybercrimes, with a focus on cases involving women and children, enabling swift action by law enforcement.¹⁴
- 3) **State Cyber Crime Cells:** Available in every major city—visit your nearest police station for contact details.
- 4) **Financial Cyber Fraud Reporting System:** Launched in 2021, this platform has successfully saved over ₹3431 Crore across 9.94 lakh complaints by allowing immediate reporting of financial frauds.
- 5) **Cyber Forensic Labs:** The National Cyber Forensic Laboratory in Delhi and the Evidence Lab in Hyderabad have significantly improved the ability of police to manage and analyze digital evidence.
- 6) **Training through CyTrain:** I4C's online platform trains law enforcement and judicial officers on investigating and prosecuting cybercrime, with over 98,000 police officers trained so far.
- 7) **Public Awareness Campaigns:** The government has implemented awareness campaigns through SMS, social media, Cyber Dost, Sanchar Sathi portal and app, and even digital displays in public spaces like metro stations and airports, promoting cyber safety and security.
- 8) **The Ministry of Home Affairs and CERT:** Issued advisories warning citizens against such scams.
- 9) **Cyber Fraud Mitigation Centre (CFMC):** The Cyber Fraud Mitigation Centre has been established at I4C, where collaboration occurs among banks, telecom companies, and law enforcement agencies.
- 10) **The Samanvaya Platform:** Functions as a repository of data and a coordination system for linking interstate crimes.
- 11) **The Suspect Registry:** The Suspect Registry has been introduced in partnership with banks to monitor identifiers of cybercriminals.
- 12) **The Report and Check Suspect feature:** The Report and Check Suspect feature on cybercrime.gov.in enables citizens to explore criminal databases.
- 13) **CERT-IN guidelines recommend:** confirming the identity of the caller; remaining calm and avoiding rush decisions to transfer money; refraining from sharing personal details; and not permitting strangers to access your device.¹⁵

These efforts have reinforced the national structure for combating cybercrime, contributing to a safer environment for India in the digital space.

IV. OUR ROLE IN COMBATING DIGITAL ARREST FRAUD

While government entities and law enforcement are contributing to the effort, the battle against digital arrest fraud also depends on the actions of every citizen. Heightened awareness and education serve as the initial defences, particularly for vulnerable groups—such as youth, the elderly, and rural populations—who are frequently targeted by these scams. Engaging in open conversations about how digital fraud works can help clarify these tactics and empower individuals with the knowledge necessary for self-protection. Rather than shaming victims, we must foster an environment of support, enabling them to report incidents without fear of being judged. This transformation in mindset is essential for disrupting the silence that often allows cybercriminals to operate unchecked.

V. CONCLUSION

Digital arrest is a growing cybercrime trend in India and globally, where fraudsters impersonate law enforcement or government officials through phone calls, video calls, or fake websites to trap victims. They

¹⁴ available at: <https://www.ujjivansfb.in/banking-blogs/personal-finance/digital-arrest-scam-india#:~:text=Two%20senior%20citizens%20were%20conned,they%20surrendered%20their%20life%20savings.&text=A%20retired%20RBI%20employee%20tr>

ansferred,several%20days%2C%20fearing%20immediate%20arrest. (last visited on August 21, 2025).

¹⁵ <https://visionias.in/current-affairs/news-today/2025-07-19/security/west-bengal-delivers-first-conviction-in-digital-arrest-scam>

coerce individuals into staying "digitally confined" by continuously monitoring them online, demanding money under the threat of fabricated charges such as money laundering, drug trafficking, or cybercrime.

The phenomenon highlights the misuse of technology, psychological manipulation, and lack of awareness among citizens. Since there is no specific law on digital arrest in India, cases are dealt with under provisions of the Information Technology Act, 2000, the *Bharatiya Nyaya Sanhita (BNS)* (extortion, cheating, impersonation, intimidation), and cyber fraud laws. To combat digital arrest, strong measures are essential like, Awareness campaigns to educate people about such scams, Stronger cyber policing and rapid grievance redressal mechanisms, Legal clarity and stricter punishment for impersonation and extortion through digital means, Collaboration with telecom and digital platforms to trace fraudsters quickly. In essence, digital arrest is not a lawful act but a modern cyber-extortion scam, and addressing it requires a blend of legal, technological, and social strategies.

VI. SUGGESTIONS

Always remember, there is no provision for digital arrest under Indian criminal law. Staying vigilant and informed is the best defence against such frauds. Here are practical steps to safeguard yourself:

- 1) **Remember:** the Police/Courts never demand money online.
- 2) **Don't stay:** on video calls with unknown "officers."
- 3) **Verify:** any notice/warrant through official channels.
- 4) **Report scams:** immediately to 1930 (Cybercrime Helpline) or cybercrime.gov.in.
- 5) **Verify the Source:** If someone claims to be an official, take their name, organization and contact number. Cross-check this information by contacting the agency through official channels.
- 6) **Be Suspicious of Immediate Payment Requests:** Legitimate authorities will never demand instant payments over the phone or via online transfers.

- 7) **Avoid Sharing Personal Details:** Do not disclose sensitive information, such as Aadhaar numbers, bank details, or OTPs, over the phone or online.
- 8) **Report Suspicious Calls:** To report suspected fraud communications received through Call/SMS/WhatsApp visit www.sancharsaathi.gov.in/sfc/
- 9) **Stay Educated:** Familiarize yourself with the latest scams by following updates from trusted sources like Union Bank of India, which actively educates customers about online fraud.¹⁶

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¹⁶ *available at:* <https://www.unionbankofindia.co.in/en/blog/Digital-Arrest-Understanding-Modus-Operandi->

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