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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 3675/2026 & CM APPL. 17933/2026

PRIYANKA GUPTA .....Petitioner

Through: Mr. Ghanshyam Sharma, Mr. Lokesh Arya, Advs.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Ms. Avshreya Pratap Singh Rudy, CGSC, Ms. Usha Jamnal, Ms. Nyasa Sharma, Mr. Ankit Khatri, Advs. with SI Nirankar Nagar, DP with Ms. Katyayani, GP
Mr. Abhinav Sharma, Mr. Dipan Sethi, Mr. Snehashish Bhattachary, Advs. for R-2

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

<u>O R D E R</u>

% **23.03.2026**

<u>CM APPL. 17932/2026</u>

Exemption allowed, subject to all just exceptions.

The application is disposed of.

<u>W.P.(C) 3675/2026</u>

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

a) Issue a Writ of Mandamus or any other appropriate Writ, Order, or Direction directing Respondent No. 2 (Reserve Bank of India) to forthwith inquire into, investigate, and take regulatory action against Respondent-banks/NBFCs and Respondent No. 3 (TransUnion CIBIL Ltd.) in relation to the *large-scale identity theft, fraudulent loan accounts, forged KYC documents, and wrongful credit reporting concerning the Petitioner.*

b) Issue a Writ of Mandamus directing Respondent No. 3 (CIBIL) to immediately remove, delete, de-link, and de-associate all fraudulent loan accounts, credit cards, enquiries, defaults, and negative entries including correction and delinking of all unauthorised addresses, mobile numbers and email IDs, from the Petitioner's CIBIL profile, and ensure correction of her credit information within a fixed time frame, based on the FIR dated 12.05.2025 and representation dated 01.11.2025.

c) Direct all Respondent-banks and Respondent-financial institutions (Respondent Nos. 6 onwards) to forthwith close, suspend, and cancel all fraudulent loan accounts, credit cards, and credit facilities purportedly opened in the Petitioner's name, and to cease reporting any such data to CIBIL.

d) Direct Respondent No. 4 (Income Tax Department / Authority administering AIS/TIS) to examine the fraudulent savings bank accounts and financial information reflected against the Petitioner's PAN in the Annual Information System (AIS) and Taxpayer Information Summary (TIS), and to carry out necessary verification, correction, rectification and updating of AIS/TIS records, in coordination with the concerned Banks, so as to ensure that no fraudulent or *unauthorised account or transaction continues to be reflected against the Petitioner.*

e) Direct the concerned Respondent-Banks, including Kotak Mahindra Bank, IDFC First Bank and YES Bank, to disclose full particulars, KYC documents and transaction details of all savings bank accounts fraudulently opened in the Petitioner's name, and to forthwith close, de-link and disassociate the same from the Petitioner's PAN and credit profile.

f) Direct all concerned Banks/NBFCs to produce before this Hon'ble Court, and share with the Petitioner, the complete KYC documents, application forms, signatures, photographs, video-KYC records, and any verification data used to open the fraudulent accounts, so that responsibility for forging the Petitioner's identity may be properly fixed.

g) Issue a Writ or appropriate direction restraining all Respondent-banks, NBFCs, recovery agents, and their employees from making any calls, sending messages, issuing notices, or visiting the Petitioner's premises in relation to any of the fraudulent loan accounts, and directing them not to undertake any recovery, coercive or collection steps against the Petitioner.

h) Issue a Writ of Mandamus directing Respondent No. 2 (RBI) to frame, implement, and enforce guidelines ensuring that victims of identity theft are not subjected to wrongful CIBIL reporting, coercive recovery actions, or harassment, *and that fraudulent accounts are promptly investigated and removed.*

i) Direct Respondent No. 3 (CIBIL) to restore and correct the Petitioner's credit score to the position it stood prior to the fraudulent transactions, and to issue a written clarification/certificate confirming that the Petitioner is a victim of identity theft and bears no liability for the fraudulent accounts.

j) Issue appropriate directions to the Respondent-banks/NBFCs to treat the Petitioner as a victim of identity theft and not as a borrower or defaulter, and to ensure that no adverse internal records, recovery actions, or credit decisions are taken against her.

k) Direct Respondent No. 2 (RBI) to conduct a forensic audit of the KYC failures of all Respondent-banks/NBFCs involved and to take disciplinary/penal action against institutions responsible for opening fraudulent accounts in violation of RBI Master Directions.

l) Direct the Respondents to pay appropriate compensation to the Petitioner for the grave financial loss, reputational injury, mental harassment, emotional distress, and damage caused to her livelihood due to wrongful reporting and inaction, in terms of law and in light of the judgment of this Hon'ble Court in Sarwar Raza v. RBI (2025).

m) Direct the Respondents to acknowledge the Petitioner in all records as a victim of identity theft, and direct all *concerned agencies to update their internal databases accordingly.*

n) Pass an interim order restraining all Respondentbanks/ NBFCs and their recovery agents from making any calls/visits to the Petitioner and further restraining CIBIL from reflecting any fresh negative entries during the pendency of the present petition.

o) Issue an appropriate writ, order or direction directing the Respondent No. 1 (Union of India through the Ministry of Finance), in coordination with the Respondent No. 2 (Reserve Bank of India) and Respondent No. 3 (TransUnion CIBIL Limited), to formulate, notify and implement an appropriate policy or mechanism providing interim protection to victims of identity theft and financial impersonation, including suspension or neutralisation of adverse credit reporting and restraint on recovery actions pending investigation or adjudication...”

2. For the reasons stated in the petition, issue notice.

3. Ms. Rudy, learned CGSC accepts notice on behalf of respondent Nos. 1, 4 and 5 and Mr. Sethi, learned counsel accepts notice on behalf of respondent No. 2.

4. Issue notice to all other respondent(s) through all modes including electronic on the petitioner taking steps within one week from today, returnable on 25.09.2026.

JASMEET SINGH, J

MARCH 23, 2026/sp