
DEEPFAKES AND DIGNITY: THE NEW BATTLE FOR CELEBRITY RIGHTS IN INDIA

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ABSTRACT:

Artificial intelligence has enabled the creation of the most realistic fake videos and photos - so-called deepfakes - which represent real people without their agreement. The flood of deepfake messages of political figures in India has unveiled new risks to individual dignity, privacy, and reputation. In the absence of a special legal framework on deepfakes, injured individuals have turned to the constitutional and statutory remedies. This chapter is a survey of Indian law relating to deepfakes, in which the guarantees of the Article 21 on life, liberty, and dignity are applied by the courts to help address gaps in the protection of personality-rights. We examine high-profile cases in the recent past in which Amitabh Bachchan, Arijit Singh, Akshay Kumar, and others were involved and we take into consideration the effect of the new Digital Personal Data Protection Act, the IT Act, and the current privacy doctrine.

Keywords: Deepfakes; Artificial Intelligence; Privacy; Dignity; Personality Rights; Article 21; DPDP Act 2023; IT Act; India; Celebrity; Free Speech; Right of Publicity.

Introduction

Deepfake technology, a technology that uses the AI to control the audio-visual media, is capable of creating realistic video or voice recording of a real individual. A subject may seem to be uttering words that he never uttered, or may be placed in a misleading situation. Despite the potential harmless applications (e.g. effects in films), malicious applications of deepfakes have been of concern worldwide. The false political messages can be disseminated using deepfakes, fraud can be committed, and even unauthorized pornography can be produced. Spoofed endorsement videos of politicians and made-up porns of prominent personalities have been examples of recent instances in India¹. Not only does such material mislead the masses, it also has a serious negative effect on the subjects themselves, depriving them of their dignity and their ability to maintain control over their own image.²

Indian media and society are already experiencing a significant improvement in the number of lawsuits pursued against celebrity relief in the case of unauthorized deepfakes³. India does not have a specific law on deepfakes, unlike in some nations (e.g. some U.S. states where there is a statutory right of publicity). Some Indian law (cybercrimes, defamation, data protection) may be applied to some of the misuse, however, as one researcher notes, there is no specific legal framework to govern deepfakes. Practically, Indian judicial system has incorporated the prevailing doctrine to this novel menace, and consequently, personality and privacy rights. In this chapter, the adaptation is looked into. We begin by describing the conceptual connection between deepfakes and personal dignity and examine the applicable laws (Article 21, the IT Act, and the new DPDP Act), and conclude the paper with an examination of the recent litigation. Lastly, we estimate unaddressed policy gaps and policy reform opportunities.

Deepfakes, Personality Rights, and Dignity.⁴

Deepfakes cause damages of a certain nature. Other than the more classic case of privacy invasion or defamation, a deepfake may invade the autonomy and personal identity of an

¹ Abhay Anturkar, *Deepfakes And Dignity: The New Battle For Celebrity Rights In India*, LiveLaw (Nov. 27, 2025), <https://www.livelaw.in/articles/celebrity-rights-personality-rights-india-deepfake-misuse-legal-framework-article-21-311287> (last visited Dec. 5, 2025).

² Ministry of Electronics & Information Technology (MeitY), *Explanatory Note: Proposed Amendments to the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021*, <https://www.meity.gov.in/static/uploads/2025/10/8e40cdd134cd92dd783a37556428c370.pdf>.

³ See supra note 1.

⁴ See supra note 1.

individual. Deepfakes transform personal qualities into digital assets to be exploited by using the likeness, voice, or persona of another individual without their permission. Even a non-consensual adult deepfake such as a video may be embarrassing and very humiliating to the victim although there may not have been any sexual activity. To this, the courts worldwide are struggling to safeguard the dignity, reputation and autonomy of individuals against the misuse of AI⁵.

These values are the most dealt with by the Indian law under the constitutional right to life and liberty (Article 21). The Supreme Court in a landmark case titled the Auto Shankar case (1994) expressly understood that the interests of the citizens as described in Article 21 are the interest in personal reputation and privacy. In *R. Rajagopal v. State of Tamil Nadu*, the Court declared the state censorship of a memoir by a criminal as unconstitutional and that even persons of goodwill who might have become prominent figures in the eyes of others have a right to prevent their identity from being commercially exploited by others. That case thus set the stage of personality right in India. Afterward, it was presented to a nine-judge court in *K.S. Puttaswamy v. Union of India* (2017), Article 21 of the constitution was formally read and explicitly stated by the court as to include privacy, as well as reputation and dignity and control over all personal characteristics, viz. voice, catchphrases, and digital likeness⁶.

Similarly, Indian intellectual property law provides similar resolutions. To a good example, the duplication of the signature style of a performer or the copying of an original picture may be a violation of privacy and copyright. Equally, another action that may contravene the trademarks or the passing-off law is the use of false endorsements or impersonation particularly in a business context. Nevertheless, these assertions are limited to specific types of law (IP or defamation), and might not be applicable to all instances of deepfakes.

Hence, the so-called right of publicity, the idea that a person should regulate commercial exploitation of his image, has been created by the Indian judges using a combination of Article 21 logic and tort law. Courts have consistently ruled in the recent celebrity cases that the name, likeness, image and voice of a person are part of their identity that is protectable⁷. Use without

⁵ Swanand Bhale, *Deepfake Laws in India: The Need for Legal Regulation in the AI Era*, SSRN, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5153296.

⁶ See supra note 1.

⁷ AZB & Partners, *Bombay High Court Safeguards Celebrity Personality Rights in AI Era: Arijit Singh Case*, <https://www.azbpartners.com/bank/bombay-high-court-safeguards-celebrity-personality-rights-in-ai-era-arjit-singh-case/>.

authorization (especially to make a profit) is considered as an intrusion of privacy or stealing. According to one of the decisions of the Supreme Court, a person (including a famous person) has a basic right to defend, regulate, and enter into commercial relations with his identity. On the other hand, trivial or fair use (fair use, e.g. actual news coverage or parody)⁸ is allowed. However, the presumption that default will occur in the future in the pending cases has gone heavily in favor of safeguarding personal dignity against AI abuse⁹.

Overall, the legal system in India (a combination of Article 21, IP, and common law) has come to the realization of the fact that the concept of personality rights goes beyond the name and image.¹⁰ Courts clearly deal with those characteristics of the voice, catchphrase or manner of performance of a celebrity as possessing commercial and dignitary worth. Deepfakes also raise the stakes of this recognition, since they allow stealing all these features using the digital and mass form.

Law and Regulation Privacy, Cyber Law and Data Protection.

In addition to the Constitution, there are some instruments offered by the Information Technology Act, 2000 (IT Act) and its supporting rules. Identity theft and intrusion of privacy (66C punishes impersonation using digital technology; 66E punishes the taking or sending of a personal photograph without permission) is criminalized in sections 66C-66E of the IT Act. A grave case of deepfake such as sexualizing someone unwillingly, would theoretically fall under 66E or the two Sections 67A-67B (criminalizing electronic child pornography and voyeurism). On the same note, defamation is a crime under Section 499-502 of the Indian Penal Code (IPC), and at times it can be applied in cases where the false deepfakes have damaged reputation. Actually, actress Aishwarya Rai Bachchan has been on record to ask for malicious deepfakes to be categorized as criminal defamation since she states that the reputations of people are at stake¹¹. Nonetheless, the defamation claims need to be proved with damages and are slow; they are not sufficient to reflect the non-consensual nature of AI content.

The intermediary rules of the IT Act have been found more relevant. The Information

⁸ Shilpi Sharan & Huda Jafri, *Personality Rights and the Bachchan Cases: A New Chapter in Indian Jurisprudence*, S.S. Rana & Co., <https://ssrana.in/articles/personality-rights-and-the-bachchan-cases-a-new-chapter-in-indian-jurisprudence/>

⁹ *Bombay HC condemns Akshay Kumar deepfake video*, SCC Times, <https://www.sconline.com/blog/post/2025/10/20/bombay-hc-condemns-akshay-kumar-deepfake-video/>.

¹⁰ See supra note 1.

¹¹ See supra note 1.

Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021 require the online platforms to bear the responsibilities of due diligence. To provide an example, Rule 3(1) obliges social media intermediaries to make sure that they do not facilitate the release of content that promotes or requests a criminal act, or an impersonation of another. A recent case involved the plaintiff (Akshay Kumar) making a specific appeal to Rule 3(1) in arguing that sites are obliged to take down misleading deepfakes¹². These rules have been applied by courts to force sites such as YouTube and Facebook to remove offensive videos upon being notified, although enforcement is haphazard. Section 79 of the IT Act does protect third-party content that appears on the sites of the intermediaries, provided that they follow the takedown notices.

One more systemic creation is Digital Personal Data Protection (DPDP) Act 2023. This novel legislation governs the processing of personal data and it focuses on consent and privacy of data principals. On the face of it, it may be considered to include deepfakes, as it is a broad definition of personal data. The DPDP Act however has major exceptions. Therefore, a deep score fake video involving video recordings of a celebrity could fall under the category of utilizing public data and avoid the coverage of the Act¹³. Law critics have noted that the DPDP Act was not implemented with the initial objective of safeguarding personality rights, and even though the act emphasizes on consent, it does not explicitly bar non-consensus image synthesis¹⁴. Put another way, the DPDP Act helps to strengthen data privacy, on the whole, but not a separate solution to a deepfake predicament of a celebrity. Observers come to the conclusion therefore that redress will in large part be beyond DPDP - such as, by issuing takedown notices, citing copyright violation, or criminal provisions¹⁵.

The Reactions of the Judiciary: The Right to Personality of a Celebrity.

Indian courts have been very aggressive with regard to celebrity deepfake complaints. An order to protect the persona of a star was reported almost every month in 2024-2025. Since there is no special law, such cases are usually treated as civil cases (usually under the Code of Civil Procedure) in which injunctions are sought. The fundamental rights (Article 21) and copyright (moral rights), and/or passing off are the common allegations by the plaintiffs who seek ex parte interim order to freeze the impugned content pending trial. The experience of the

¹² See supra note 9.

¹³ Azdhan, *Can Personality Rights & the DPDP Act Protect 'Viral Celebrities' from Deepfakes?*, MediaNama, <https://www.medianama.com/2025/11/223-personality-rights-dpdp-act-viral-celebrities-deepfakes/>.

¹⁴ See supra note 13.

¹⁵ See supra note 13.

intellectual property and the quick injunction process has made the Delhi and Bombay High Courts the centre of the stage.

Amitabh Bachchan litigation was one of the pioneer trends. In *Amitabh Bachchan v. Rajat Nagi & Ors.* (2022, Delhi HC) The megastar was granted an ad-interim injunction of defendants selling T-shirts, mugs and posters bearing his photo and signature without his authorization¹⁶. The court was aware of the fact that the image of Bachchan has a significant commercial value, and its use without permission was a violation of the privacy and personality rights. The principles laid out by Bachchan, even though not arguing the specific concept of deepfakes directly, were that personality characteristics were safeguarded and any derived content was to be removed, establishing the basis of further AI cases. Similarly, his granddaughter Aaradhya was also the target of a lawsuit: *Aaradhya Bachchan v. YouTube Channels* (Delhi HC, 2023) were included in the article that did not disseminate false rumors about the health of the child, and according to the article, the dissemination of such misinformation is an affront to the privacy and the dignity of the child. These initial cases indicate a wide understanding of Article 21 in order to encompass reputational and emotional interests of people and minors who are in the public.

Interpretation became actually decreasing with generative-AI cases. In 2024, Arijit singer sued dozens of websites, pages on social media and AI-based services in the Bombay High Court. It was established that defendants had developed unlicensed voice models of Arijit Singh, were selling AI-generated songs in his voice, and using his image on merchandise and had registered domains under his name. A sweeping ex parte injunction was given by Justice R.I. Chagla. The court decided that all these exploitative purposes, be it either cloning his voice or showing his image were against his fundamental rights to personality. The Arijit Singh case is generally considered by many as the first Indian case that dealt with abuse of generative AI software, as one which established a precedent of deepfakes being a viable cause of action under misappropriation.

The trend accelerated into 2025. In January 2025, the Delhi High Court in *Global Health Ltd. v. John Doe (Medanta Hospital/Dr. Naresh Trehan)* provided an order of a John Doe on unknown makers of deep fake videos. There had been a viral fake video of Dr. Trehan offering

¹⁶ See supra note 8.

questionable medical care in Facebook and WhatsApp. Within 24 hours¹⁷, the Court ordered Facebook and other intermediaries to take such videos down. This was notable because one of the earliest high-level Indian orders especially referenced the manipulated video videos as deepfake-based content to be removed. The Court realized the inadmissible use of the likeness of Dr. Trehan and possible damage to the reputation of the doctor and goodwill of the hospital¹⁸.

Of more flamboyant nature was the Akshay Kumar case which was in late 2025. When a highly realistic deepfake video showing Akshay Kumar (a leading Bollywood actor) giving communal remarks that he did not say became famous, he was sued by Bombay High Court¹⁹. Justice Arif S. Doctor observed that the morphing was so advanced that it is practically impossible to tell that, the pictures/video are not real pictures/videos of Akshay Kumar. The Court believed that the Kumar has an inherent and enforceable right to regulate as well as exploit his personality and any other improper use will infringe on his publicity right as well as his inalienable rights as provided in Article 21. Since the deepfake contained incendiary and inflammatory view, the Court also found that a serious threat had been presented to the safety of Kumar, the safety of his family as well as the safety of the community. It thus awarded ex parte provisional injunction: that all the defendants be enjoined without using any indicia of the identity (name, voice, image, mannerism) of Kumar on any media, and expressly including AI-created deepfakes. In the order, the platforms and individuals were instructed to take down infringement content as soon as it appears²⁰. Not only did this historic decision impose celebrity dignity but also associated this with social risk, making it a point that a deepfake was no longer art but a social harm.

Other Bollywood stars have been given similar protection measures. In 2025 the Bombay High court awarded Aishwarya Rai Bachchan an injunction of those selling online products using her photographs without her permission²¹. In September 2025, the Indian singer Asha Bhosle joined the ranks of winners of an injunction in Bombay HC after the U.S. AI companies had cloned her voice on music sites²². Justice Arif Doctor remarked that the voice-cloning even allowed the defendants to market her without permission (when doing it commercially) and

¹⁷ S. N. Thyagarajan, *Delhi High Court orders takedown of deepfake videos featuring Medanta Hospital, Dr. Naresh Trehan*, Bar & Bench, <https://www.barandbench.com/news/delhi-high-court-order-takedown-deepfake-videos-medanta-hospital-dr-naresh-trehan>.

¹⁸ Id.

¹⁹ See supra note 9.

²⁰ See supra note 9.

²¹ See supra note 8.

²² See supra note 8.

issued an injunction to curb her being sold as an illegal voice model.

Meanwhile, there are certain boundaries that have been acknowledged by the courts. In many cases the plaintiffs make ex parte filing and the defendants have minimal opportunity to fight judgment before it is awarded. This warning demonstrates the facts of the real world of enforcements: the Internet is enormous and fresh deepfakes may emerge at any moment in time. However, the tone of the recent orders does not give any doubts that the classification of unauthorized deepfakes as something that cannot be accepted under Indian law was unequivocal.

Table 1: Key Indian Celebrity Deepfake Cases

Year	Case (Court)	Personality	Infringing Content	Remedy/Outcome
2022	<i>Amitabh Bachchan v. Rajat Nagi</i> (Delhi HC)	Amitabh Bachchan	Unauthorized merch (T-shirts, mugs) bearing his image/name	Interim injunction; takedown of merchandise
2023	<i>Aaradhya Bachchan v. YouTube Channels</i> (Delhi HC)	Aaradhya Bachchan (minor)	False YouTube videos about her health	Injunction; videos removed
2024	<i>Arijit Singh v. Codible Ventures</i> (Bombay HC)	Arijit Singh	AI voice clones, deepfake videos, merch, domain misuse	Broad ex parte injunction barring any use of his persona
2025	<i>Global Health Ltd. v. John Doe</i> (Delhi HC)	Dr. Naresh Trehan	Deepfake Facebook videos with his image and hospital logo	John Doe takedown order (all untagged uploads removed)
2025	<i>Aishwarya Rai Bachchan v. Aishwaryaworld.com</i> (Bombay HC)	Aishwarya Rai Bachchan	Unauthorized images on online stores (e.g. posters)	Injunction; images to be taken down
2025	<i>Asha Bhosle v. Mayk Inc.</i> (Bombay HC)	Asha Bhosle	AI voice models (cloned singing voice) on e-commerce sites	Injunction; removal of cloned voices
2025	<i>Nagarjuna Akkineni v. Various Defendants</i> (Delhi HC)	Nagarjuna Akkineni	AI-generated songs, merchandise, ads using his likeness	Identified URLs to be removed; interim protection granted
2025	<i>Akshay Kumar v. Multiple Defendants</i> (Bombay HC)	Akshay Kumar	Realistic deepfake video of him, voice clones, merchandising	Ex parte interim relief; all infringing content ordered deleted

Year	Case (Court)	Personality	Infringing Content	Remedy/Outcome
2025	<i>Sri Sri Ravi Shankar v. Unknown</i> (Delhi HC)	Sri Sri Ravi Shankar	Deepfake videos of endorsement of health products	Injunction; Meta/others ordered to remove content ²³
2025	(No suit) Girija Oak case	Girija Oak (actress)	Viral deepfake sexual images without consent	Highlighted legal gaps; public demands action

Table 1: Illustrative Indian deepfake cases involving celebrities and public figures (2022–2025). In all cases, courts granted prompt injunctive relief to block or remove the infringing content.

Comparative and Policy Perspectives.

In spite of the fact that here we have to speak of Indian law, it is educative to compare it briefly. The GDPR provides individuals with rights to personal data in the European Union with extensive exemptions to information that is already publicly available. No clear EU policy regarding deepfakes exists, the regulation is only starting (such as the proposed Digital Services Act/AI Act will cover manipulated media). Some states (California, Washington, Texas) in the United States have laws that prohibit certain malicious instances of deepfakes (most commonly in elections or pornography), and most states have some right to publicity. However, there are global tendencies that have impacted the Indian discourse. The publicity of deepfake risks - election manipulation and even defamation of individuals - has prompted governments in all parts of the world to think about new laws. It is also reflected in the amendments to the IT Rules proposed by India (2025), which reflect some of the same issues of the proposed EU AI Act and bills in the U.S. (e.g. the DEEPFAKES Accountability Act). But any international system is to be adjusted to the strong guarantees of free speech in India. Hitherto the Indian courts have not contended that a deepfake belongs to the category of a major conflict; the cases have tended to be about an obvious impersonation in profit or malice. It will have to be determined what will become of politically satirical works that use AI-generated likenesses, e.g. Indian jurists appear to have so far been relying on the assumption that the rights to dignity warrant broad injunctions in case of a deepfake that is obviously misleading or hurtful.

Gaps and Challenges

Amidst these responsive court action, there are great problems persisting. To start with, the

²³ See supra note 1.

Indian doctrine of personality rights remains mostly case-oriented and fragmented. In the absence of a written law, it is a matter of the litigation plan of plaintiffs and the specific judge. It contains minimal information on differences between situations (e.g. what happens when a deepfake is made explicit that it is a comedy - is it parody?). Intermediate are also in uncertain positions; they are only expected to obey the court orders but are not asked to implement any action (such as AI-detection tools) that is not a voluntary recommendation.

Second, there is a large number of deepfakes that are created abroad or by users whose identity is unknown. Although the concept of parties has been extended by the courts (with the use of John Doe respondents and focusing on social media platforms), it is hard to enforce. One of the overseas stations can disregard an Indian command. Although putting pressure on such platforms as YouTube or Google has been partially successful (e.g. by forcing them to take down videos or provide user-related data), AI is global so mischief can just switch to a different app or a peer-to-peer medium. In this respect, the legal war is a layer above the technical war: unless there are similar technological solutions to watermark or fake detection, the legal solutions are not implemented until the damage is already caused.

Third most jurisprudence up to now relates to well known personalities. As pointed out in the DPDP Act discourse, the notion of personality rights is created to safeguard a person with a long-lasting public presence, usually that of a celebrity, and not an individual who was the focus of a viral post. It implies that common individuals who are made viral (e.g. bandana girl memes or viral interviews) may not be afforded as good assumptions of harm or solutions. Further, when a deepfake exploits actually public information (such as a public speech), DPDP will not be remedial, and such victims will rely on tort or defamation actions.

Fourth, free speech interaction is still a latent issue. According to Indian jurisprudence, the misappropriation of commercial activities is not subject to expression protection. However, when, eg., a documentary filmmaker provides a snippet of a deepfake as a crucial commentary, it may bring about ethical concerns regarding free speech. Just like in the renowned U.S. case of *Madow v. Sony*, Courts, Sony has been cautioned against the excessive publicity rights.

Lastly, the DPDP Act enforcement is mostly unexplored. Although the law does provide consent-based remedies, it lacks a direct personality right and the Data Protection Board (yet to be constituted) is the main method of enforcing it. Similarly, the criminal amendments of AI are still pending. Until these come into effect, the majority of these remedies are civil and fast

(injunctions), which is useful in the short-term but not in the long-term when it comes to non-celebrity victims or systemic prevention.

Conclusion

Dignity as a concept has been dragged into the courtroom through the deepfake phenomenon. In India, the constitutional law on personal dignity, which has traditionally been considered to be inalienable by the courts, has regarded deepfakes as a direct insult to the right to life and liberty. Indian courts have mostly kept through the adoption of traditional privacy and publicity doctrines which are usually rapid in adapting to changes in technology. These judicial orders have now according to one analysis become a mainstream reputation management and damage online too.

Simultaneously, the existing regime is adhocist. According to our survey, remedies are case-by-case, unless there is a cohesive statute. This has provided a strong short-term reprieve to litigants but creates the possibility of gaps (such as anonymous mass-harassment of encrypted sites). The lessons of Indian experience indicate that there is a requirement of legislative clarity. Others that might be considered reforms may involve: the legal recognition of the statutory right of publicity of likeness and voice; that AI-generated works be transparent (e.g. watermarked); and that regulators have the power to compel platforms to identify and label deepfakes.

Finally, the use of deepfakes forces society to come to terms with itself: the image and identity of a person is not just data that can be picked up at will. The Indian law is changing towards that value. Manifold instances of such cases lately presented prove that, in the contest between new technology and human dignity, our courts to date have been ready to protect the latter. The new struggle of celebrity and personality right in India is therefore the proxy of the overall struggle to make sure that technology empowers, not destroys, our own sovereignty. India is right in its implementation of this matter, and as one commentator asserts, it is paving the way to a more responsible, ethical and accountable digital ecosystem. It is wished that legislators, regulators, and technologists will in the future be joined by the judiciary in building a unified regime to protect identity and dignity in the AI era.

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