



2025:DHC:2315-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of Decision: 3rd April, 2025***+ **W.P.(C) 3925/2025****AZMALSADAT MOUSAVI NODOUSHAN**PetitionerThrough: Mr. Ashwini Kumar and Mr. Chandan
Kumar, Advocates.

versus

THE UNION OF INDIA & ORS.RespondentsThrough: Mr. Anurag Ojha, Sr. SC with Mr.
Subham Kumar and Mr. Dipak Raj,
Advocates for R-2 to 3.**CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE RAJNEESH KUMAR GUPTA****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by Petitioner- Azmalsadat Mousavi Nodoushan under Article 226 of Constitution of India, *inter alia*, seeking issuance of an appropriate writ quashing the Detention Receipt No. DR/INDEL4/24-02-2024/003862 dated 24th February, 2024.
3. The case of the Petitioner is that she is an Iranian citizen who was travelling to India on 24th February, 2024. While travelling, she was wearing six gold bangles weighing 149 grams. The same was detained by the Customs Department Officers on 24th February, 2024.
4. On the last date i.e., 28th March, 2025 the Petitioner submitted that no show cause notice has been issued. Further, it was also submitted that the appraisalment has also not been done. The matter was adjourned for the learned Counsel of the Department to seek instructions.
5. Mr. Anurag Ojha, Id. Sr. Standing Counsel for the Respondents today submits that if the Petitioner appears before the Customs Department, the

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DHYANI
Signing Date: 05.04.2025
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goods would be appraised, and the Department would allow the Petitioner to re-export the goods.

6. The Court has considered the matter. The Petitioner, being a foreign national and the detained goods being her personal effects, she would be an *eligible passenger* in terms of Rule 3 of Baggage Rules, 2016. This position has been clarified by the Coordinate bench of this Court in *Nathan Narayansamy v. Customs Commissioner (W.P.(C) 6855/2023 dated 15th September, 2023)*.

7. Since, the Petitioner is an Iranian citizen and is now in Iran, let an Authorised Representative appear before the Customs Department. The goods shall be appraised and shall be released for being re-exported. No storage charges shall be liable to be paid in this matter, as the Petitioner's bangles which the Petitioner was wearing were her personal effects.

8. The notice for appearance shall be communicated to the Petitioner's Counsel through the following mobile no. and e-mail address:

Mob. No. :- 9604280004

e-mail :- ashwinikumar3784@gmail.com

9. The present petition and all pending application (s) are disposed of in the above terms.

PRATHIBA M. SINGH
JUDGE

RAJNEESH KUMAR GUPTA
JUDGE

APRIL 3, 2025/MR/Ar.