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

+ **W.P.(C) 6686/2025**

VISHU GROVER & ANR.

.....Petitioners

Through: Mr. D S Chadha, Advocate.

versus

COMMISSIONER OF CUSTOMS NEW DELHIRespondent

Through: Mr. Aakarsh Srivastava, Senior
Standing Counsel with Mr. Anand
Pandey, Advocate.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

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21.05.2025

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioners under Article 226 of the Constitution of India, *inter alia*, challenging the Show Cause Notice dated 18th March, 2025 (hereinafter "*the impugned SCN*") and seeking release of the gold jewellery detained by the Customs Department.
3. The Petitioners - Mr. Vishu Grover and Aakanksha Puri, are a couple. The husband, who is an engineer by profession, is stated to be a resident of the United Arab Emirates. It is stated that on 21st September, 2024 the Petitioners were travelling from Bangkok to India, and upon their arrival at the Indira Gandhi International Airport, New Delhi, they were intercepted and following gold items were seized (hereinafter "*the detained jewellery*"):
 - a) One gold *kada* and one gold *chain* (weighing approximately 201



grams.)

b) Six gold bangles (weighing 601 grams.)

4. The case of the Petitioners is that they were not provided with the Detention Receipt and that the Customs Department had issued intimation for disposal of the detained jewellery on 14th January, 2025. The Petitioners duly replied to the said intimation on 20th January, 2025 requesting the Customs Department not to dispose of the detained jewellery till the matter is finally decided. Thereafter, the impugned SCN had been issued.

5. The Court has considered the matter. The approximate weight of the detained jewellery is over 800 grams. In view of this position, the Court is not inclined to allow release at this stage.

6. The Petitioners shall, however, participate in the SCN proceedings, file their reply within a period of 30 days and they shall appear for a personal hearing.

7. The Customs Authorities shall hear the matter and pass an Order-in-Original in accordance with law. If the Petitioners wish to give an undertaking for re-export, the same shall also be considered by the Customs Authorities.

8. An apprehension was raised by Mr. D S Chadha, Id. Counsel for the Petitioners that the SCN records that the detained jewellery may have been disposed of. However, Mr. Aakarsh Srivastava, Id. Senior Standing Counsel for the Customs Department submits on instructions that the gold items have not been disposed of. In fact as per the corrigendum dated 14th May, 2025 issued to the impugned SCN, it has been recorded that the goods have not been disposed of.

9. Copy of the said corrigendum has been handed over to Id. Counsel for the Petitioner.



10. In view thereof the detained jewellery shall not be disposed of during the pendency of the proceedings and in any case, without intimation to the Petitioners.

11. The present petition is disposed of in the above terms. Pending applications if any are also disposed of.

PRATHIBA M. SINGH, J

RAJNEESH KUMAR GUPTA, J

MAY 21, 2025/MR/msh