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

+ **W.P.(C) 7243/2025**

GURVEER KAUR & ANR.

.....Petitioners

Through: Mr. S. Vijay Kanth and Mr. Utkarsh
Tiwari, Advocates.

versus

THE COMMISSIONER OF CUSTOMS

.....Respondent

Through: Mr. Aditya Singla, SSC with Ms. Arya
Suresh Nair and Mr. Siddarth Saxena,
Advocates.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **26.05.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 32645/2025 (exemption)

2. Allowed, subject to all just exceptions. The application stands disposed of.

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3. The present petition has been filed under Article 226 of the Constitution of India, challenging the detention of the following jewellery;

- two gold bangles weighing 100 grams each and
- a gold *kada* weighing 226 grams,

weighing a total of 426 grams, which were detained upon the Petitioner's arrival at Terminal 3, IGI Airport Delhi on 6th May, 2025.

4. The Petitioners' case is that the detained goods were their personal



jewellery and the same would not be liable to be detained in terms of the Baggage Rules, 2016 and other judgements of the Supreme Court, including ***Directorate of Revenue Intelligence v. Pushpa Lekhumal Tolani, (2017) 16 SCC 93***. The Petitioners have placed certain photos of Petitioner No.1 wearing the allegedly detained goods to show that these were her personal jewellery.

5. The Court has perused the photographs placed on record. There seems to be some inconsistency between the photos on record and the goods detained, especially with regard to the weight of the said goods. Therefore, considering the weight of the jewellery detained and the fact that the goods were detained just 20 days back, and even the Show Cause Notice has not yet been issued, this Court is of the opinion that this is not a fit case for exercising writ jurisdiction at this stage.

6. Accordingly, the Respondent–Customs Department is directed to issue a Show Cause Notice to the Petitioner in accordance with law. Upon receipt of the said notice, the Petitioner shall file a reply thereto. A personal hearing shall also be afforded to the Petitioner, during which the submission that the detained goods were used personal effects/personal jewellery shall be duly considered. Thereafter, a reasoned order shall be passed in accordance with law. The Show Cause Notice and the notice for personal hearing shall be served on the Petitioner at the following email address and mobile number.

Email address: adv.svijaykanth@gmail.com

Mobile no: 7503313839

7. The show cause notice, if issued, shall be decided by 30th September, 2025.

8. The gold shall not be disposed of in the meantime.



9. The present petition stands disposed of in these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J

RAJNEESH KUMAR GUPTA, J

MAY 26, 2025
v/Ar.