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

+ **W.P.(C) 7795/2025**

SATISH PATELPetitioner

Through: Mr. Javed Khan, Adv.

versus

THE COMMISSIONER OF CUSTOMSRespondent

Through: Counsel(Appearance not given)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RENU BHATNAGAR

ORDER

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26.11.2025

1. This hearing has been done through hybrid mode.
2. This matter is being taken up today, as 25th November, 2025 was declared a holiday on account of 'Guru Tegh Bahadur's Martyrdom Day' *vide* Notification No. 35/G-4/Genl.-I/DHC.
3. The present Petition has been filed by the Petitioner- Satish Patel under Article 226 of the Constitution of India, inter alia, seeking release of one gold chain and 2 gold rings of the Petitioner, weighing 140 grams in total, seized by the Customs Department *vide* Detention Receipt No. DR/INDEL4/31-05-2024/004535 dated 21st May 2024.
4. The case of the Petitioner is that no Show Cause Notice was issued by the Customs Department in this matter pursuant to the detention, despite the fact that more than one year had passed since the issuance of the detention receipt. The submission made was that these are the personal effects of the Petitioner.
5. Accordingly, on 10th September, 2025, the Court had directed the



Customs Department to produce the seized gold items on the next date of heading.

6. It is a matter of fact that no Show Cause Notice has been issued. However, when the gold items have been produced from the sealed container and have been opened, it is clearly noticeable that these are not old personal jewellery or even personal effects. The description of the goods by the Petitioner is completely misleading. It is clearly gold which was being brought into India without being declared.

7. In fact, even a perusal of the Synopsis of the present petition would show that the Petitioner claims that he himself wanted to declare the same through the red channel. The said paragraphs in the synopsis read as under:

“The Petitioner herein is aggrieved by the wrongful and arbitrary actions of the Respondent of detained 1 Gold chain and 2 Gold Rings total weight 140 grams from the petitioner.

*It is the case of the Petitioner who had arrived at T-3, IGI Airport, from Qatar to New Delhi to New Delhi on 31.05.2024 by flight no 6E 1406. The respondent seized 1 Gold Chain and 2 rings from the Petitioner, **although Petitioner informed to the respondent that he wants to declare at the red channel** and it belongs to him and it is a personal belonging, further it is pertinent to mention herein that there is no concealment from his side but the respondent didn't listen to the petitioner.”*

8. The present is not a case which would, therefore, be liable to be entertained under writ jurisdiction as the Petitioner has not been candid with the court. The place of purchase of these goods has not been informed to the court. Further, no invoices have been filed. In the opinion of the Court, there has been an attempt to mislead the Court.



9. However, let a notice of personal hearing be given to the Petitioner. Upon hearing the Petitioner, an Order-in-Original be passed in accordance with law. The personal hearing notice shall be served on the following e-mail address and mobile number:

- **E-mail Address:** javedkhan123moh@gmail.com
- **Mobile No.:** +91 8882323437

10. The gold items are re-sealed and returned to the officers who are present.

11. The Petition is accordingly disposed of in the above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

RENU BHATNAGAR, J.

NOVEMBER 26, 2025/PT/hp