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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7880/2025**

SHABAD

.....Petitioner

Through: Ms. Richa Kumari, Mr. Pawan, Mr.
Prashant Chaudhary & Mr. Prashant
Solanki, Advs.

versus

COMMISSIONER OF CUSTOMS

.....Respondent

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **10.09.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed, *inter alia*, seeking release of one iPhone 15 Pro Max (256 GB) of the Petitioner, seized by the Customs Department *vide* Detention Receipt dated 22nd August 2024.
3. The brief facts of the case are that the Petitioner is an Indian passport holder who had travelled from Dubai to India on 22nd August, 2024. Upon his arrival at the Indira Gandhi International Airport, New Delhi he was intercepted by the Customs Department and the iPhone of the Petitioner was seized.
4. The Petitioner is aggrieved by the fact that no Show Cause Notice has been issued to the Petitioner till date. It is submitted that the iPhone was purchased by the Petitioner for his own use and the same would constitute his personal effects.
5. None appears for the Customs Department.
6. It is settled law that once the goods are detained, it is mandatory to issue a Show Cause Notice and afford a hearing to the Petitioner. The time prescribed



under Section 110 of the Customs Act, 1962, is a period of six months and subject to complying with the formalities, a further extension for a period of six months can be taken by the Customs Department for issuing the Show Cause Notice. In this case, the one year period itself has elapsed, thus no Show Cause Notice can be issued at this stage. The detention is therefore impermissible.

7. Considering that the only detained product is an iPhone 15 Pro Max and no Show Cause Notice has been issued till date, it is directed that the same shall be released unconditionally as the same would be a personal effect of the Petitioner. No warehousing charges shall also be liable to be paid.

8. The Petitioner shall appear before the Customs Department for release of the seized item on 22nd September, 2025. The Nodal Officer mentioned below shall facilitate the Petitioner's appearance before the competent authority for compliance with the present order:

Officer: Mr. Sandeep Lamba, Superintendent, Customs
Address: Office of Commissioner, Customs
IGI Airports, T-3, New Delhi
Mobil No.: 7405345000
Email id: igilegaldelhi@gmail.com

9. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

SEPTEMBER 10, 2025

Rahul/Msh