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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11924/2025**

NADEEM AHMAD

.....Petitioner

Through: Dr. Ashutosh, Ms. Fatima and Mr.
Pravej Hasan, Advs.

versus

COMMISSIONER OF CUSTOMS

.....Respondent

Through: Ms. Anushree Narain, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RENU BHATNAGAR

ORDER

% **08.08.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner-Nadeem Ahmad under Articles 226 and 227 of the Constitution of India, *inter alia*, seeking release of the two gold bars, collectively weighing 233.30 grams which were detained on 21st August, 2021 *vide* detention receipt bearing no. 7064.
3. The submission of Id. Counsel for the Petitioner is that the Order-in-Original has been passed after four years of detention on 1st July, 2025. Id. Counsel submits that considering the long delay that has taken place in passing of the said order, the prayer in the present petition is for waiver of the warehousing charges.
4. The Order-in-Original was passed on 1st July, 2025 in the following terms:

“

ORDER

i. I deny the 'Free Allowance' if any admissible to the Pax Nadeem Ahmad for not declaring the detained goods to the Proper Officer at Red Channel as well to



the Customs Officer at Green Channel who intercepted him and recovered the detained goods from him.

ii. I declare the passenger, **Nadeem Ahmad**, an "**eligible Passenger**" for the purpose of the Notification No. 50/2017-Cus dated 30.06.2017 (as amended) read with Baggage Rules, 2016 (as amended).

iii. I order **confiscation** of the above said detained goods i.e. **"Two Gold 10 tola Bars (Embossed Suisse 10 TOLA Fine Gold 999.9 on one side & picture of Lady embossed on other side) having Purity 999.9, weighing 233.30 grams and valued at Rs. 9,86,466/-"** recovered from the Pax **Nadeem Ahmad** and detained vide DR No. **DR/INDEL4/21.08.2021/007064 dated 21.08.2021**, under Section 111(d), 111(j), 111 (l) & 111 (m) of the Customs Act, 1962; '

iv. I give an option to redeem the goods confiscated above on payment of **Rs.1,00,000/- (Rs. One Lakh Only)** along-with applicable rate of Customs Duty on Tariff Valuation as on the date of detention of seized goods. I allow **release** of the detained goods within 120 days of receipt of this order under Section 125(3) of the Customs Act, 1962. The redemption to be allowed after the completion of legal formalities in this regard and also fulfillment of any regulatory clearances/ approvals required. The offer of redemption, if accepted, shall be subject to condition that the Passenger shall not dispute the identity and valuation of the goods. The offer of redemption shall cease after 120 days of the receipt of this order.

v. I also impose **a penalty of Rs. 1,00,000/- (Rs. One Lakh Only)** on the Pax, **Mr. Nadeem Ahmad** under Section **111(a) & 112(b)** of the Customs Act, 1962."

5. Considering the nature of the goods which have been imported, i.e., two gold bars, this Court is not inclined to waive the warehousing charges. Let the order-in-original be given effect to.



6. The petition is disposed of in these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J

RENU BHATNAGAR, J

AUGUST 8, 2025
dj/ck