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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11943/2025**

RAM BABU GUPTA

.....Petitioner

Through: Md. Ather Ansari, Mazharsiddiqui and
Md. Salman, Advs.

versus

THE COMMISSIONER OF CUSTOMS

.....Respondent

Through: Mr. Atul Tripathi, Adv. (M:
9891608960)

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- Ram Babu Gupta under Article 226 of the Constitution of India, *inter alia*, seeking release of the two gold chains of the Petitioner, collectively weighing 108 grams which were detained on 16th April, 2024 *vide* detention receipt bearing no. DR/INDEL4/004212/16-04-2024.
3. Ld. Counsel for the Petitioner submits that the Order-in-Original dated 26th September, 2024 has been passed in this matter whereby it has been held as under:

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ORDER

i) I deny the ‘Free Allowance’ if any admissible to the Pax Mr. Gupta Ram Babu 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, Mr, Gupta Ram Babu an “ineligible 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 **absolute confiscation** of the above said detained goods i.e. “Two gold chains having purity 997, weight 108 grams, valued at Rs 7,64,005/-” recovered from the Pax Mr. Gupta Ram Babu and detained vide DR No. DR/INDEL4/16.04.2024/004212 dt. 16.04.2024, under Section 111(d), 111(i), 111G) & 111(m) of the Customs Act, 1962;
iv) I also impose a **penalty of Rs.1,15,000/- (Rupees One Lac Fifteen Thousand Only)** on the Pax, Gupta Ram Babu under Section 112(a) & 112(b) of the Customs Act, 1962.”*

4. Though not disclosed in the petition, it is submitted orally by the ld. Counsel for the Petitioner that the Petitioner has filed an appeal assailing the said Order-in-Original.

5. Accordingly, the Petitioner is free to pursue the said appeal and pray for re-export before the appellate authority.

6. The said appeal shall be disposed of expeditiously after granting a personal hearing to the Petitioner. The personal hearing notice shall be intimated to the Petitioner on the following email address and mobile number:

- **Email:** mohammedatheransari@gmail.com
- **Mobile No.:** 7011359907

7. 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