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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 12818/2025**

MRS. JEEVANJOT KAUR BUTTARPetitioner
Through: Mr. Harsh Trikha, Adv.

versus

COMMISSIONER OF CUSTOMS, IGI AIRPORT.....Respondent
Through: Mr. Harpreet Singh, SSC with Mr. Jai
Ahuja and Ms. Sanidhya Sharma, Advs.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE SHAIL JAIN

ORDER
% **25.08.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- Mrs. Jeevanjot Kaur Buttar under Articles 226 and 227 of the Constitution of India, *inter alia*, assailing the Order-in-Original dated 31st March, 2025 (hereinafter, '*impugned order*') passed by the Respondent.
3. The Petitioner claims to be an '*eligible passenger*', though an Indian citizen, as she was living for more than six months in a foreign country, namely, Singapore. The Petitioner came from Singapore to India on 5th April, 2024. Upon arrival at the Terminal-3, Indira Gandhi International Airport, New Delhi, a personal search was conducted of the Petitioner and six gold bars of 100 grams each, *i.e.*, total of 600 grams with the engraving '*Heraeus Finegold 999.9*' were seized from her possession.
4. Thereafter, the impugned order has been passed by which absolute confiscation of the six gold bars has been directed in the following terms:



“ORDER

- i) I deny the free allowance as admissible to the Noticee for her various acts of commission & omission as discussed above;*
- ii) I order Absolute confiscation of the seized gold weighing **600 Gms having tariff value of Rs. 35,73,066/- (Rupees Thirty Five Lakh Seventy Three Thousand and Sixty Six Only)** recovered from Noticee under Panchnama dated 06.04.2024, under Section 111(d), 111(i), 111(j), 111(l), 111(m) & 111(o) of the Customs Act, 1962.*
- iii) I impose a penalty of **Rs.3,60,000/- (Rupees Three Lakh Sixty Thousand Only)** under Section 112(a) & 112(b) of the Customs Act, 1962 on the **Noticee Ms. Jeevanjot Kaur Buttar** for various acts of omission and commission.*
- iv) I refrain from imposing penalty upon the Noticee under Section 114AA of the Customs Act, 1962.”*

5. The contention of the Petitioner is that the Petitioner is an eligible passenger as per the Baggage Rules, 2016 and therefore, she was entitled to carry the said gold bars. This position is disputed by Mr. Harpreet Singh, Id. SSC for the Respondent who submits that the Petitioner has challenged the order belatedly.

6. The Court has considered the matter. In view of the nature of the goods which have been seized, the Court is not inclined to entertain the present writ petition.

7. However, the Id. Counsel for the Petitioner prays for permission to file an appeal and delay to be condoned in this regard. Considering that this writ petition was filed sometime in May, 2025, the Court is inclined to permit the Petitioner to avail of its remedy under Section 128 (1) of the Customs Act, 1962.

8. Accordingly, if the appeal is filed by 30th September, 2025, the same



shall be adjudicated on merits and shall not be dismissed on the ground of limitation. A hearing shall also be afforded to the Petitioner on the following e-mail address and mobile number:

- **Email:** *swastilegalalliance@gmail.com*
- **Mobile:** *9717656389*

9. Needless to add, this Court has not considered the merits of the case

10. The present petition is disposed of. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

AUGUST 25, 2025/kp/ck