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

+ **W.P.(C) 14896/2025 & CM APPL. 61316/2025**

M/S KBB NUTS PVT. LTD.

.....Petitioner

Through: Ms. Reena Rawat and Mr. Ashish Bhatt,
Advts.

versus

DIRECTORATE OF INTERNATIONAL CUSTOMS(FTA CELL) &
ORS.

.....Respondents

Through: Mr. Harpreet Singh, SSC with Ms.
Suhani Mathur & Mr. Sanidhya Sharma,
Advts.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **09.10.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- M/s KBB Nuts Pvt. Ltd. under Article 226 of the Constitution of India, inter alia, seeking modification of the conditions for provisional release of the dry fruits, which are stated to have been imported from Afghanistan.
3. *Vide* order dated 25th September, 2025, the Court after hearing the parties had directed as under:

“14. Heard the ld. Counsels for the parties. The Court has perused the conditions for provisional release. The entire consignment itself is worth Rs. 10 lakh, and 50% is being sought by way of Bank Guarantee, which clearly is on the higher side.

15. Petitioner’s director, Mr. Kanwarjit Bajaj, is present in Court and submits that the Petitioner is



one of the most well-known companies in dry fruit trade, and has six decades of experience. He submits that the Petitioner would be bound by any directions that may be passed by the Court.

16. As per the Petitioner, consignments imported from Afghanistan are covered under the South Asian Free Trade Area (SAFTA) Agreement, and would not attract any customs duty. Additionally, the Petitioner is willing to give the Provisional Duty Bond, if the Country of Origin Certificate is proved to be incorrect.

17. In the opinion of this Court, in view of the festive season, if the dry fruits are not cleared immediately, enormous loss would be suffered by the Petitioner.

18. Accordingly, let the Customs Department investigate the Country of Origin Certificate as also the Bill of Entry and file a report by the next date of hearing.

19. In the meantime, the consignment shall be released on a Provisional Duty Bond being given for a sum of Rs.10,04,521.20/-.

20. The condition of furnishing Bank Guarantee is exempted till the next date hearing. In the event the Customs Department places on record any document indicating that the Country of Origin Certificate is incorrect, the requirement of a Bank Guarantee shall be considered on the next date of hearing.

21. The Petitioner shall be bound by the orders that would be passed in respect of any customs duty, if payable.



22. The Petitioner shall cooperate with the investigation completely.

24. List on 09th October, 2025. Let a status report be placed on record by the Customs Department.”

4. Ld. Counsel for the Petitioner submits that the consignment of the Petitioner has been released in terms of the order passed on 25th September, 2025. Accordingly, no further prayers or directions are pressed in this matter.
5. The writ petition stands satisfied and is accordingly disposed of.
6. Needless to state, if there is any violation found, the Department is free to proceed in accordance with law.
7. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

OCTOBER 9, 2025/hk/msh