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

+ **W.P.(C) 15642/2025 & CM APPL. 63966/2025**

MR. SALMAN

.....Petitioner

Through: Mr. Akshat Bajai, Mr. Shobit Trehan,
Ms. Renuka P., Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Santosh Kumar Rout, Sr. Panel
Counsel for R-1.(M: 9990432878)
Mr. Shubham Tyagi, SSC, CBIC Ms.
Navruti Ojha, Ms. Anupam Ojha, Mr.
Rishabh Chauhan and Mr. Harish
Saini, Advs.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **13.11.2025**

1. This hearing has been done through hybrid mode.
2. The present writ petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, seeking release of the two gold bangles of the Petitioner, collectively weighing 50 grams seized by the Customs Department *vide* detention receipt bearing no. 43882 dated 25th January, 2025.
3. The case of the Petitioner is that no Show Cause Notice (hereinafter, 'SCN') has been issued and hence, the release of the bangles is sought by the Petitioner.
4. Mr. Tyagi, Id. SSC has appeared for the Customs Department and



submits that there are misrepresentations in this petition. Ld. SSC has raised the following contentions:

- (i) Firstly, the SCN has been issued on 24th July, 2025 and the same has been served upon the Petitioner. This fact has not been disclosed by the Petitioner.
- (ii) Secondly, the invoice which has been placed on record is in Arabic and would show that the invoice relates to gold ingots and not gold bangles.
- (iii) Thirdly, it is submitted by the Id. SSC that in the statement made by the Petitioner under Section 108 of the Customs Act, 1962, the Petitioner stated that the goods do not belong to him and belongs to one Mr. Iqram Khan.

5. Heard. The non-disclosure of the SCN is a fact that goes to the root of the matter. The short counter affidavit which has been handed over by the Id. SSC for the Respondent would show that the SCN has in fact been served at the same address as set out in the memo of parties.

6. In view thereof the Court is not inclined to entertain the present petition as the Petitioner is guilty of suppression of material facts.

7. In the facts of this case the Petitioner shall deposit a sum of Rs. 10,000/- with Delhi High Court Clerk Association. The details of the same is given below:

- ***Name: Delhi High Court Clerk Association***
- ***A/c No: 15530100006282***
- ***IFSC Code: UCBA0001553***
- ***Branch: Delhi High Court***
- ***Branch Address: Shershah Road Delhi, New Delhi-110001***



8. The proof of cost shall be placed on record on the next date of hearing.
9. The Petitioner is, however, free to file a reply to the SCN and the same shall be proceeded in accordance with law.
10. Accordingly, the petition is dismissed in the above terms. Pending applications, if any, are also disposed of.
11. List for compliance on 22nd December, 2025.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

NOVEMBER 13, 2025

jyh/ck