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

Date of decision: 18th December, 2025

Uploaded on: 20th December, 2025

+ **W.P.(C) 15750/2025**

PAWAN SHARMA

.....Petitioner

Through: Mr. S Vijay Kanth, Adv.

versus

THE COMMISSIONER OF CUSTOMS

.....Respondent

Through: Mr. Shubham Tyagi, SSC, CBIC with
Ms. Navruti Ojha, Mr. Rishabh
Chauhan, Mr. Harish Saini, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

Prathiba M. Singh, J. (Oral)

1. The hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, challenging the Order-in-Original dated 29th January, 2025 (hereinafter, '*impugned order*') passed by the Office of the Commissioner of Customs. The Petitioner further seeks release of the following goods of the Petitioner detained by the Customs Department *vide* detention receipt bearing no. DR/INDEL4/10.1.2024/003508 dated 10th January, 2024:

●One gold chain, weighing 43 grams;

●One iPhone 15 Pro Max.

3. *Vide* the impugned order, the gold chain of the Petitioner has been



absolutely confiscated and the iPhone 15 Pro Max has been permitted to be redeemed subject to payment of Rs. 15,000/- as fine. A penalty of Rs. 55,000/- has also been imposed upon the Petitioner.

4. *Vide* order dated 12th November, 2025, this Court directed the Customs Department to produce the gold chain of the Petitioner before the Court. Today, the gold item along with iPhone 15 Pro Max has been produced in a sealed box.

5. The Court has seen the seized gold chain and the iPhone which have been produced. The chain is clearly an old used chain of the Petitioner. However, the iPhone is one new phone which however would be permissible to be imported.

6. Under these circumstances, let the Petitioner's gold chain and the iPhone 15 Pro Max be released to the Petitioner without any Customs Duty, penalty or redemption fine. Warehousing charges as applicable on the date of detention shall however be paid by the Petitioner.

7. The Petitioner shall appear before the Customs Department on **7th January, 2026 at 11:00 AM** in person or through an Authorised Representative, in which case, a proper email from the Petitioner or some form of communication to be sent to the Customs Department that the Petitioner has authorised the concerned Authorised Representative to appear on behalf of the Petitioner. The Petitioner shall appear virtually for verification of identity.

8. The Nodal Officer mentioned below shall facilitate the Petitioner's appearance before the competent authority for compliance with the present



order:

***Mr. Mukesh Gulia, Superintendent, Legal
Office of Commissioner, Customs
IGI Airports, T-3, New Delhi
Email id: igilegaldelhi@gmail.com***

9. The gold chain and the iPhone 15 Pro Max produced today have been returned to the concerned official from the Customs Department who is present in Court today.

10. The petition is disposed of in these terms. All pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**SHAIL JAIN
JUDGE**

DECEMBER 18, 2025/pt/ck