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

+ **W.P.(C) 16314/2025**

**KOKAB**

.....Petitioner

Through: Ms. Richa Kumari, Mr. Pawan, Mr.  
Tarun Gulia & Mr. Yatin Bhutani,  
Advs.

versus

**COMMISSIONER OF CUSTOMS**

.....Respondent

Through: Ms. Anushree Narain, SSC with Mr.  
Naman Choula Mr. Yamit Jetley,  
Advs.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE SHAIL JAIN**

**ORDER**

**% 18.12.2025**

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, seeking implementation of Order In Original ('OIO') dated 07th August, 2025 (hereinafter, 'impugned order') passed by the Commissioner of Customs (Appeals).
3. A brief background of the Petitioner's case is that he is an Indian Passport Holder, who was travelling from Dubai to Delhi on 29<sup>th</sup> June, 2024. Upon his arrival at the Indira Gandhi International Airport, New Delhi, he was intercepted by the concerned officials of the Customs Department and the gold bar was seized by the Customs Department, vide detention receipt dated 30th November, 2023.



4. Vide Order dated 10th January, this court directed Ms. Anushree Narain, Id. SCC to seek instructions as to whether the Customs Department has challenged the order dated 7th August, 2025 or not. Today, the Court is informed that the Respondent has not challenged the Order dated 7<sup>th</sup> August, 2025.

5. A 50 grams of Gold Bar was detained from the Petitioner's possession and thereafter, the Order-In-Original has been passed, permitting redemption for the purpose of re-export in the following terms:

**ORDER**

i. I deny the **'Free Allowance'**, if any, admissible to the Pax Kokab for not declaring the detained goods to the Proper Officer at Red Channel, as well as to the Customs Officer at Green Channel, who intercepted him and recovered the detained goods from him.

ii. I declare the passenger, **Kokab**, as an **"ineligible Passenger"** for the purpose of the Notification No. 50/2017-Customs dated 30.06.2017 (as amended) read with Baggage Rules, 2016 (as amended).

iii. I order **confiscation** of the **"One gold bar engraved "UAE A01394" having purity 999, weighing 50 grams, valued at 3,27,893/-"** recovered from the Pax **Kokab** and detained vide DR No. **"004725 dated 29.06.2024"** under section 111(d), 111(i), 111(j) and 111(m) of the Customs Act, 1962.

iv. I give an option to redeem the detained goods confiscated above, on payment of a fine of **Rs. 30,000/- (Rupees Thirty Thousand only)** under Section 125 of Customs Act, 1962 and allow the same for **"re-export" from India only** by the Pax has valid **"Resident ID Card of United Arab Emirates bearing No. 784-1992-8261949-5 expiry date 10.06.2027"**. The redemption is to be allowed after the completion of legal formalities in this regard and also fulfillment of any regulatory clearances/approvals required. The offer of redemption, if accepted, shall be subject to condition that the Pax shall not dispute the identity and valuation of the detained goods. The offer of redemption shall cease after 'One Hundred Twenty Days' from



*date of the receipt of this order;*

*v. I also impose a penalty of **Rs. 20,000/- (Rs. Twenty Thousand Only)** on the Pax **Kokab** under section 112 (a) and 112(b) of the Customs Act, 1962.”*

6. The prayer in this Writ Petition is for implementation of the Order-In-Original dated 07th August, 2025 .Since the order has not been challenged, let the Order-In-Original be given effect to. For the said purpose, the Petitioner may appear before the Customs Authorities on 15<sup>th</sup> January, 2026.

7. Full warehousing charges shall be collected.

8. The Petition is disposed of in these terms. Pending Application, if any, stands disposed of.

**PRATHIBA M. SINGH, J**

**SHAIL JAIN, J**

**DECEMBER 18, 2025/tg/hp**