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

Date of Decision: 11th December, 2025

Uploaded on: 12th December, 2025

+ **W.P.(C) 18328/2025 & REVIEW PET. 621/2025**

MOHIT MANN

.....Petitioner

Through: Mr. Suryanarayana Singh, Sr. Adv.
with Mr. Vikas Malik, Adv. along
with the Petitioner in person.

versus

UNION OF INDIA & ORS.

.....Respondent

Through: Ms. Anushree Narain, SSC with Mr.
Yamit Jetley, Adv.

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+ **CONT.CAS(C) 1875/2025**

MOHIT MANN

.....Petitioner

Through: Mr. Suryanarayana Singh, Sr. Adv.
with Mr. Vikas Malik, Adv. along
with the Petitioner in person.

versus

SH. GOVIND MOHAN & ORS.

.....Respondents

Through: Mr. Niraj Kumar, Adv. for UoI
Ms. Anushree Narain, SSC with Mr.
Yamit Jetley, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RENU BHATNAGAR

JUDGMENT

Prathiba M. Singh, J.

1. This hearing has been done through hybrid mode.

W.P.(C) 18328/2025 & REVIEW PET. 621/2025

2. The present review petition has been filed by the Customs Department



seeking review of order dated 3rd December, 2025.

3. On the previous date of hearing, *vide* order dated 3rd December, 2025, this Court had passed the order based on the averments made in the writ petition and the submissions made by Id. Counsels for the parties. The same reads as under:

“CM APPL. 75898/2025 (for directions)

3. *The present application has been filed by the Petitioner under Section 151 of the Code of Civil Procedure, 1908, inter alia, seeking directions for preservation of footage from CCTVs installed in and around Terminal-3, Indira Gandhi International Airport, New Delhi, showing the arrival of the Petitioner as also when he was detained by the Customs Department.*

4. *The Deputy Inspector General, CESF (CASO), CISF Unit, Indira Gandhi International Airport, New Delhi shall enable the retrieval of the CCTV footage, without any intervention by the concerned officials of the Customs Department and shall handover the same to Ms. Anushree Narain, Id. SSC for the Customs Department, who shall place the same on record.*

5. *Application is disposed of.*

W.P.(C) 18328/2025

6. *The present petition has been filed by the Petitioner-Mohit Mann under Article 226 of the Constitution of India, inter alia, seeking release of the Petitioner's goods which were detained by the Customs Department vide detention receipts dated 15th November, 2025 bearing Nos. 46203 and 46352.*

7. *A brief background of the Petitioner's case is that, the Petitioner, who is an Indian Origin U.S. Citizen, was travelling from Frankfurt to India along with his wife and their 11 month old daughter to attend the*



wedding of his real sister as well as two other family weddings.

8. Upon his arrival at the Terminal-3, Indira Gandhi International Airport, New Delhi, on the intervening night of 14th and 15th November, 2025, Petitioner's goods were detained by the concerned officials of the Customs Department.

9. The following goods were detained from the Petitioner by Customs Department:

ITEM	REMARK	QTY.
1. Rolex Oyster watch V3R	2016 make	1
2. Rado watch 16007478	Mens watch	1
3. Rado watch 15306769	Ladies watch 971	1
4. Macbook pro	Nov 24 16 inch	1
5. Iphone 17pro max 256gb orange	New	1
6. Iphone 17pro max 256gb silver	New	2
7. Iphone 17pro 256gb orange	New	1
8. Iphone 17pro 256gb silver	New	1
9. Galaxy s25 ultra 256gb	New	1



10. Iphone 15pro titanium 256gb	Used	1
11. Iphone 14pro max black 256 gb	Used	2
12. Iphone 14pro black 256gb	Used	2
13. Two necklace one studded	159gm	
14. Two gold chains	114 gm	
15. One gold bracelet	40 gm	
16. Five pair gold earrings	86 gm	
17. One pair baby kada	11.5 gm	
18. Three pair gold bangles	92 gm	
19. Gold ring with red stone	5 gm	

(hereinafter, 'detained goods')

10. The grievance of the Petitioner is two-fold:
- (i) Firstly, The Petitioner was detained for more than 40 hours at the airport and that his wife and infant child were compelled to wait outside the airport;
- (ii) Secondly, some of the detained goods are his personal effects items i.e., used Iphones, used watches and used jewellery. The remaining new Iphones according to the Petitioner were being carried by him for the purpose of gifting to his friends and family.

11. Ld. counsel for the Petitioner submits that the



Petitioner is in fact willing to re-export the detained goods and does not intend to dispose them in India. It is further submitted that some of the detained goods are personal effects.

12. Ms. Anushree Narain, ld. SSC for the Customs Department submits that the detention is of a recent date and the time for the issuance of a Show Cause Notice has not yet lapsed.

13. The Court has heard the ld. Counsels for the parties. A perusal of the list of Petitioner's detained goods set out above would show that some of the goods may be used goods, however, the Petitioner ought to have declared all these goods by passing through the proper Red Channel.

14. Moreover, it is inexplicable as to why any person would carry so many Iphones, that too, which are brand new. The Customs Department had rightly detained the Petitioner, however, the prolonged detention for such a long period deserves to be explained by the Customs Department.

15. For the time being, since the Petitioner is willing to re-export the detained goods and also claims to have invoices showing purchase of the detained goods, let the Petitioner appear along with his counsel before the Customs Department.

16. The Petitioner shall appear before the Customs Department on 05th December, 2025 at 11:30 AM. A proper hearing shall be afforded to the Petitioner. 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

Mobile No.: 9999922479

17. In the meantime, the following directions are passed:

- (i) **Used jewellery of the Petitioner:** In so far as used jewellery of Petitioner is concerned, since the Petitioner is a U.S. Citizen, he shall be permitted to take them back as they would be personal effects.
- (ii) **Used IPHones of the Petitioner:** In so far as used Iphones are concerned, the used Iphones, with SIM cards, containing personal data of the Petitioner, shall be released by the Customs Department.
- (iii) **Remaining New Goods of the Petitioner:** In respect of the remaining new goods, the Petitioner shall be heard and a proper order shall be passed in accordance with law.

18. The Petitioner is also willing to pay the Customs Duty on the detained Iphones and the new goods which are not his personal effects. If so, the Customs Department may also consider imposing Customs duty, redemption fine and penalty on the Petitioner.

19. Let the Order-in-Original be passed in accordance with law and be placed on record. An affidavit shall also be filed by the Customs Department dealing with the allegations of the 40 hours long detention of the Petitioner at the airport.

20. The copy of this order shall also be communicated to the Deputy Inspector General, CESF (CASO), CISF Unit, Indira Gandhi International Airport, New Delhi by the registry through electronic mode.

21. List on 15th January, 2026.”



4. The background in which the above order was passed was based on the submissions made before the Court to the extent that were a total of 30 items which were detained by the Customs Department, which consisted of used jewellery, used I-phones and new goods of the Petitioner.
5. On the previous date, the allegation raised by the Id. Counsel for the Petitioner was that the Petitioner, his wife, and infant child were subjected to enormous harassment at the airport by the Customs Department, and were detained unreasonably.
6. Further, Id. Counsel for the Petitioner had also submitted that the Petitioner has to travel back to the USA and considering the same, it was directed that the Petitioner would appear before the Customs Department on 5th December, 2025 and insofar as used jewellery and used I-phones are concerned, the same were directed to be released back to the Petitioner.
7. Pursuant thereto, a contempt petition being **CONT.CAS(C) 1875/2025** was preferred by the Petitioner, which was listed before this Court on 9th December, 2025.
8. Upon receiving an advance copy of the contempt, Ms. Anushree Narain, Id. SSC, who had appeared on behalf of the Customs Department, submitted that the Petitioner was guilty of concealing material facts from this Court.
9. Thereafter, the present review petition being **REVIEW PET. 621/2025** has been preferred by the Customs Department.
10. The additional relevant facts stated by the Customs Department are as under:
 - (i) That the Petitioner and his family were crossing Green Channel, when they were intercepted by the concerned officials of the



- Customs Department.
- (ii) Upon scanning the baggage of the Petitioner in the X-ray, certain suspicious images were noticed.
- (iii) That a 'black backpack' was hung on the stroller of the infant child, which after some reluctance, was permitted to be inspected by the Petitioner.
- (iv) The items detained by the Customs Department were recovered from the 'black backpack'. The same had been concealed deliberately by the Petitioner.
- (v) That as per the CCTV footage from the airport, various goods were recovered from the Petitioner and his family, which are as under:

Sr. No.	Items	No./Pieces
1	One Rado Watch Gents (Black) Sr. no. 16007478	1
2	One Rado Watch Ladies (Black) with Sr.No.15306769	1
3	Rolex (Oyster perpetual Bate Just) Silver Watch Gents	1
4	I Phone 17 Pro Max (Orange)	1
5	I Phone 17 Pro (Orange)	2
6	I Phone 17 Pro Max (Silver)	2
7	I Phone 17 Pro (Silver)	2
8	I Phone 14 Pro Max (Black)	2
9	I Phone 14 Pro (Black)	2
10	I Phone 15 Pro (Black)	1



11	Samsung Phone S25	1
12	Apple Mac book pro	1
13	Assorted Gold Jewellery	507.5 grams

(vi) Additionally, 118.5 grams of gold jewellery of Indian origin and four I-phones were also recovered. However, these were returned to the Petitioner.

(vii) The goods extracted above were in the stroller of the infant child. The same were detained and a seizure memo was issued.

(viii) None of the seized I-phones had any sim cards and the four I-phones with sim cards were returned to the Petitioner.

11. The Court has considered the matter. In terms of the above facts, the Customs Department has, therefore, taken a position that this is a case of outright smuggling and there was a deliberate intention on the part of the Petitioner to hide all the impermissible goods.

12. The CCTV footage from the airport, relied upon by the Customs Department, is taken on record. A perusal of the same would show that, upon exiting the aircraft at around 02:47 am, the 'black backpack' was deliberately put by the Petitioner at the lower portion of the stroller.

13. These additional facts clearly show that the Petitioner had deliberately not revealed the true position before this Court and an attempt was made to mislead the Court.

14. Additionally, in respect of the goods which were returned to the Petitioner, there is no mention of the same in the petition nor any oral submissions were made.

15. Clearly, this was not a case which would warrant interference of this Court under writ jurisdiction. A total of 17 mobile phones were brought by the Petitioner and his family and they were passing through the Green



channel, hiding the said phones in the infant child's stroller. Further the total jewellery is more than 500 grams i.e., half a kilo of gold which was also being brought in a hidden manner. These facts were not disclosed in the writ petition and a contrary impression of illegal detention was sought to be conveyed to the Court. There can be no justification for anyone to carry 17 mobile phones into the country, that too without declaring the same. Even the attending of weddings cannot justify bringing in half a kilo of gold jewellery, without declaring the same to the authorities.

16. Considering that the detention was itself made on the intervening night of 14th-15th November, 2025, and in view of the gross concealment and the misleading nature of the case which was put up, which led to the order dated 3rd December, 2025, the Court is inclined to recall the said order.

17. Accordingly, the order dated 3rd December, 2025 is recalled.

18. The Customs Department shall now proceed in accordance with law, after issuing a Show Cause Notice in terms of Section 124 of the Customs Act, 1962.

19. The Show Cause Notice shall be served within the prescribed time period, to the Petitioner on the following email address and mobile No.:

- **Email address:** mannmohit17@gmail.com

- **Mobile No.:** +1 408-207-3920

20. The Petitioner is permitted to file a reply to the Show Cause Notice. If the Petitioner makes any prayer for re-export, the same shall be considered. Personal hearing shall be afforded to the Petitioner and thereafter an order, in accordance with law, shall be passed.

21. The writ petition and the review petition are disposed of in the aforesaid terms. Next date of hearing stands canceled.

**CONT.CAS(C) 1875/2025**

22. This is a contempt petition filed by the Petitioner seeking implementation of order dated 3rd December, 2025.

23. The Petitioner, having concealed certain material facts as recorded above, ought not to have filed the present contempt petition against the Customs Department. Further the order dated 3rd December 2025, has been recalled as per the above order.

24. The contempt petition is dismissed with costs of Rs.10,000/- to be paid to the Customs Department. The Petitioner shall deposit the costs within one week from this order.

25. The present contempt petition is disposed of.

PRATHIBA M. SINGH
JUDGE

RENU BHATNAGAR
JUDGE

DECEMBER 11, 2025

kk/sm