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

+ **W.P.(C) 19704/2025**

**VASEEM AHMAD**

.....Petitioner

Through: Dr. Ashutosh & Ms. Fatima, Advs.

versus

**COMMISSIONER OF CUSTOMS**

.....Respondent

Through: Sh. Atul Tripathi, SSC with Shubham  
Mishra, Mr. Gaurav, Ms. Mani  
Tripathi, Mr. Akshay Sagar, Advs.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE SHAIL JAIN**

**ORDER**

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**24.12.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Articles 226 and 227 of the Constitution of India, *inter alia*, seeking release of two gold bars weighing 233 grams (*hereinafter*, 'gold bars') which was detained by the Customs Department.
3. A brief background of the Petitioner's case is that, the Petitioner was travelling to India on 3rd June, 2021. Upon his arrival at the Indira Gandhi, International Airport, Terminal-3, New Delhi, he was intercepted by the concerned officials of the Customs Department and the gold bars were seized by the Customs Department *vide* dated 3rd June, 2021.
4. The case of the Petitioner is that the detention of gold bars should be set aside as no Show Cause Notice was issued to the Petitioner.
5. Ld. Counsel for the Petitioner concedes that the Order-in-Original has



already been passed in November, 2021.

6. Mr. Tripathi, Id. SSC places reliance on the statement of the Petitioner in terms of Section 108, of the Customs Act, 1962. The statement reads as under:

*“On being asked, I, VASEEM AHMAD (D.O.B. 25.05.1987) state that I have appeared before Air Customs Superintendent on 03.06.2021 to tender my statement under Section 108 of the Customs Act, 1962 in respect of above detailed goods ie appearing to be Gold recovered from my possession. On being asked, I state that I was intercepted by the Customs officer after I had crossed the green channel and after my personal and baggage examination, the above said goods were recovered from me; that the above said recovered goods were brought by me; that the said goods does not belong to me; It was handed over to me by Mr. Md. Shakib, who lives in DAMAM and it was to be delivered near bus stand of District BIJNOR to one unknown person. I don't have any bill/receipt of the above said recovered goods. I am well aware of the facts that above detailed goods imported by me are not the part of my bonafide baggage and they attract Customs duty on import into India; that I intentionally did not declare the recovered goods. On being asked, I admit my omission and commission on my part. I will be agreeing with the description, quantity and value assessed by the department, and ready to pay the Customs duty along with fine and penalty as applicable. I also do not need any show cause notice or personal hearing in the matter. I have tendered my statement true and correct and understood the same in vernacular. I have tendered the above statement without any duress, pressure or threat.”*



7. Be that as it may, in the opinion of this Court, once the Petitioner was aware that the Order-in-Original was passed in November, 2021 and the gold bars have been directed to be absolutely confiscated and considering the nature of the goods, the Petitioner ought to have availed of his legal remedies. The Court is not inclined to entertain the present petition as the challenge is highly belated and the present petition is barred by laches.
8. Let the copy of the Order-in-Original be supplied to the Petitioner, if not already supplied.
9. If the Petitioner has any available remedies, it may be availed of in accordance with law.
10. The petition is dismissed in these terms.

**PRATHIBA M. SINGH, J.**

**SHAIL JAIN, J.**

**DECEMBER 24, 2025/pd/sm**