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

+ **W.P.(C) 18231/2025**

WASEEM RAJA

.....Petitioner

Through: Mr. Richa Kumari and Mr. Pawan,
Advts.

versus

COMMISSIONER OF CUSTOMS

.....Respondent

Through: Mr. Atul Tripathi, SSC, CBIC with
Mr. Shubham Mishra, Mr. Gaurav
Mani Tripathi, Mr. Akshay Sagar and
Mr. Madhav Anand, Advts.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

% **12.03.2026**

1. The petitioner suffered an order-in-original after having found that he was carrying gold illegally beyond the permissible limit. In this case, it was found that he was carrying 233.5 g of gold in the form of gold bars and 36.90 g of gold kept in a plastic bottle.
2. The order-in-original came to be passed which was confirmed by the appellate authority, so also in the revision.
3. The learned counsel appearing for the petitioner submits that the petitioner has produced invoices to substantiate his claim that he is the owner of the gold and in such an eventuality, redemption ought to have been granted in his favour.
4. The prayer made by the petitioner is opposed by the learned counsel



appearing for the respondent, based on the conduct of the petitioner.

5. Having considered the rival claims, it is noticed that, admittedly, the gold, as referred to in the order-in-original, was recovered from the custody of the petitioner.

6. The only contention appears to be that the redemption ought to have been ordered in favour of the petitioner.

7. If we consider the provision of law, the claim for redemption cannot be claimed as a matter of right.

8. It is the case of the petitioner that he is suffering from mental illness and, as such, has approached this Court at belated stage. The fact remains that during his mental illness, not only the petitioner has travelled abroad but also illegally brought gold in the country.

9. Apart from above, the ground of mental illness, which is sought to be relied on, is in existence much prior to the date of travel and detention of the gold.

10. As such, for the aforesaid reasons and also in view of concurrent findings, this Court refrains itself from exercising extraordinary jurisdiction in favour of the petitioner.

11. The petition, accordingly, stands dismissed.

NITIN WASUDEO SAMBRE, J

AJAY DIGPAUL, J

MARCH 12, 2026/AS/dd