



\$~87

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

Date of decision: 12th November, 2025

+ **W.P.(C) 14528/2025**

FIROJ KHANPetitioner

Through: Mr. Nikhil Chaubey, Adv.

versus

ADDL. COMMISSIONER OF CUSTOMRespondent

Through: Mr. Akshay Amritanshu, SSC with
Ms. Drishti Rawal, Mr. Abhay Nair,
Mr. Mayur Goyal, and Mr. Sarthak
Srivastava, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner, *inter alia*, challenging the impugned Order-in-Original dated 11th April, 2025 passed by the Additional Commissioner of Customs, Indira Gandhi International Airport, Terminal-3, New Delhi (hereinafter "*impugned order*").
3. A brief background of the case is that Petitioner is an Indian citizen and had been working in Saudi Arabia for the past 2 years. On 22nd February, 2025, the Petitioner had travelled from Saudi Arabia to India and upon his arrival at the Indira Gandhi International Airport, New Delhi, he was intercepted by the Customs Department. The Petitioner was wearing two gold kadas weighing 117 grams, and one gold chain weighing 116 grams (hereinafter "*detained jewellery*") and the same were detained *vide* Detention Receipt dated 22nd



February, 2025.

4. *Vide* the impugned order, the Petitioner has been given the option to redeem the gold items which were seized in the following terms:

“ORDER

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

ii) *I declare the passenger, Mr. Firoj Khan, is an "eligible 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 "02 gold kadas purity 999 weight of 117 grams and gold chain purity 100 weight of 116 grams (collective weight 233 grams and its collective valued at Rs. 20,61,848/-" recovered from the Pax Mr. Firoj Khan and detained vide DR No. 65253 dated 22.02.2025 under section 111(d), 111(j) and 111(m) of the Customs Act, 1962;*

iv) *I give an option to redeem, the goods confiscated, above, on payment of fine of Rs. 2,70,000/- (Rs. Two Lakhs Seventy Thousand Only) along-with applicable rate of Customs duty on tariff valuation as on the date of detention of goods. I allow release of the detained goods within 120 days of issue of this order under Section 125(3) of Customs Act, 1962. 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. 2,10,000/- (Rs. Two Lakhs Ten Thousand Only) on the Pax Mr. Firoj Khan*



under section 112 (a) and 112(b) of the Customs Act, 1962.”

5. On 19th September, 2025, when the matter was considered, it was submitted on behalf of the Petitioner that the Petitioner was not given a hearing before passing the impugned order. The same was disputed by the Id. Counsel for the Customs Department, who had submitted that the Petitioner had appeared before the Customs Department and given two representations.

6. On the said date, Id. Counsel for the Petitioner took the position that an Authorised Representative was appointed by the Petitioner who had, in fact, taken back the passport of the Petitioner.

7. This was a serious issue as per this Court and the Customs Department was directed to place on record the details of the Authorised Representative with an intention to retrieve the passport of the Petitioner.

8. On 28th October, 2025, however, the Id. Counsel of the Petitioner submitted that the authorised representative had returned the passport of the Petitioner.

9. Under these circumstances, the only order that can be passed is for implementing the impugned order, though in a belated manner. The facts arising in this case in respect of the passport of the Petitioner are quite cryptic and therefore this Court is not going into the said issue.

10. Today, it is submitted by the Id. Counsel for the Petitioner that the Petitioner is now residing in India.

11. Accordingly, the impugned order dated 11th April, 2025 is permitted to be implemented within a period of one month.

12. The Petitioner shall pay all the requisite charges in terms of the impugned order by 5th December, 2025. The Petitioner shall appear before the



Customs Authority on 10th December, 2025 and obtain the redemption as per the Order-in-Original. In order to facilitate the same, let the Petitioner approach the following Customs Official:

Name: Mr. Mukesh Gulia

Designation: Superintendent, Legal

Email: igilegaldelhi@gmail.com

13. No further orders are called for.

14. Petition is disposed of in these terms. Pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**SHAIL JAIN
JUDGE**

NOVEMBER 12, 2025/kp/msh