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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 4th April, 2025

+ **W.P.(C) 4273/2025**

RAMESH KUMAR JANGIRPetitioner

Through: Ms. Richa Kumari, Mr. Pawan, Mr.
Ravi Rathore and Mr. Yatin Bhutani,
Adv. (M:8766321884)

versus

COMMISSIONER OF CUSTOMSRespondent

Through: Ms. Anushree Narain, SSC with Mr.
Ankit Kumar, Adv.
(Mob:9910014337)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MANOJ 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 – Mr. Ramesh Kumar Jangir under Article 226 of the Constitution of India, *inter alia*, seeking release of the gold items being one gold chain weighing 51 grams and two gold pieces weighing 65 grams each (hereinafter, ‘*items*’) seized by the Respondent- Commissioner of Customs *vide* Detention Receipt No. 3853 dated 23rd February 2024 (New Detention Receipt No. 52956 dated 27th February 2024).
3. The case of the Petitioner is that he is a citizen of India as also a private sector worker in Kuwait. He returned from Kuwait on 23rd February, 2024 by Flight No.AI-90. The Petitioner was in possession of the said items.
4. According to the Petitioner, he had gone to the red channel to declare the said gold pieces. However, the said gold items were detained and the detention receipt was also issued. Thereafter, the gold items have also been



appraised by the Customs Department.

5. The grievance of the Petitioner is that no order has been passed by the Customs Department till date. The Petitioner is willing to pay the customs duty as payable on the said gold pieces. Further, in the opinion of this Court the gold chain could be considered as a personal effect of the Petitioner. Insofar as the gold chain, is concerned the same shall be considered as a personal effect of the Petitioner, and shall be released to the Petitioner without payment of the customs duty.

6. Insofar as the gold pieces are concerned, let the Petitioner appear before the Customs Department and an order be passed bearing in mind the above fact that the Petitioner wanted to declare the said gold pieces and had chosen to go through the red channel.

7. The Petitioner to appear before the Customs Department on 22nd April, 2025 at 11:30 AM.

8. After hearing the Petitioner, an order shall be passed by the Department in accordance with law.

9. All rights and remedies of the parties are left open.

10. The petition is disposed of in the above terms. Pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**MANOJ JAIN
JUDGE**

APRIL 4, 2025/dk/ck