



\$~18

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

Date of decision: 4th December, 2025

Uploaded on 6th December, 2025

+ **W.P.(C) 4273/2025 & CM APPL. 55249/2025**

RAMESH KUMAR JANGIR

.....Petitioner

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

versus

COMMISSIONER OF CUSTOMS

.....Respondent

Through: Ms. Anushree Narain, SSC with Mr.
Naman Choula, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL. 55249/2025 (for release) in W.P.(C) 4273/2025

2. The present petition was disposed of vide order dated 4th April, 2025. The brief background is that the present petition was filed, *inter alia*, seeking release of the gold items being one gold chain weighing 51 grams and two gold pieces weighing 65 grams each (hereinafter “*seized items*”) seized by the Customs Department *vide* Detention Receipt No. 3853 dated 23rd February 2024.

3. The case of the Petitioner is that he is a citizen of India working as a private sector worker in Kuwait. He returned from Kuwait on 23rd February, 2024. According to the Petitioner, he had gone to the red channel to declare the seized items. However, the said seized items were detained and the detention receipt was also issued. Thereafter, the same have also been



appraised by the Customs Department.

4. At that stage, the grievance of the Petitioner was that no orders were passed by the Customs Department despite the Petitioner being willing to pay customs duty on the seized items. Accordingly, on 4th April, 2025 the following order was passed:

“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.”

5. Thereafter, an Order-in-Original (hereinafter “OIO”) has been passed on 29th July, 2025. The operative portion of which reads as under:

“ORDER

- i. I allow the 'Free Allowance 'admissible to the Pax Ramesh Kumar Jangir.*
- ii. I declare the passenger, Ramesh Kumar Jangir, an*



“eligible Passenger” for the purpose of the Notification No. 50/2017-Cus dated 30.06.2017 (as amended) read with Baggage Rules, 2016 (as amended).

- iii. *I order release of "One gold chain having purity 895, weighing 51 grams, valued at 2,58,239/-", being personal effects of the Pax, without payment of duty/fine/penalty and "Two gold cut pieces having purity 999, weighing 65 grams, valued at 3,49,880" on applicable rate of Customs Duty under Notification No. 50/2017-Cus dated 30.06.2017, provided the Pax fulfils/ satisfies the conditions laid thereunder;*
- iv. *I refrain from imposing any penalty on the Pax. Mr. Ramesh Kumar Jangir under Section 112 of the Customs Act, 1962."*

- 6. As per the above order, the gold chain and the two gold pieces weighing 65 grams were directed to be released on payment of customs duty.
- 7. Since this order was not being implemented, an application was filed by the Petitioner in which Ms. Narain, Id. SSC for the Customs Department was directed to seek instructions on 2nd September, 2025.
- 8. Today, it is submitted by Id. SSC that the Customs Department has accepted the OIO dated 29th July, 2025.
- 9. In view of the above statement, let the OIO dated 29th July, 2025 be given effect to within two weeks.
- 10. It is made clear that no warehousing charges shall be payable for the period after passing of the OIO *i.e.*, after from 29th July, 2025. However, for the previous period, warehousing charges as applicable on the date of detention shall be payable along with other amounts in terms of the said OIO.



Upon the payment of the amounts as per the OIO, the detained items shall be released to the Petitioner.

11. The Petitioner shall appear before the Customs Department on 16th December, 2025. 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
Mob. 9999922479***

12. The application is disposed of in these terms.

**PRATHIBA M. SINGH
JUDGE**

**SHAIL JAIN
JUDGE**

DECEMBER 4, 2025
dj/msh