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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
*Date of decision: 10<sup>th</sup> September, 2025*

+ **W.P.(C) 12543/2025**

VIVEK KUMAR SINGH .....Petitioner

Through: Mr. Devanshu Gupta, Adv. along with  
the Petitioner in person.

versus

COMMISSONER OF CUSTOMS A G & ANR. ....Respondents

Through: Ms. Anushree Narain, SSC and Mr.  
Naman Choula, Adv. (9625077466)  
Mr. Jaideep Singh Ahuja, Adv. for  
Coach.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE SHAIL JAIN**

**Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. In the present case, the Petitioner, who is a 19 year old, national-level taekwondo player, has filed this petition challenging the impugned order dated 31<sup>st</sup> March, 2025 passed by the Office of the Commissioner of Customs (Delhi Airport).
3. The Petitioner was travelling with his coach, Mr. Satwinder Singh along with 12 other team mates to Bangkok to participate in the 'Buriram Taekwondo International Championship 2022' in the 54 kg weight category.
4. According to the Petitioner, on their return trip, their coach gave the various team members a gold chain and a silver coated ring to wear, which then got detained on 1<sup>st</sup> September, 2022 when the team landed in India.
5. The details of the articles which were seized from all the 14 passengers are 14 chains weighing almost 600 grams and 4 silver coated rings weighing



67 grams. Thus, the total weight of seized gold was to the tune of 667 grams.

6. The statements of all the parties have been recorded and thereafter, the impugned order dated 31<sup>st</sup> March, 2025 has been passed in the following terms:

**“ORDER**

*i) I deny the free allowance as admissible to the Noticee for his various acts of commission & omission as discussed above;*

*ii) I declare that all the passengers, an "ineligible Passengers" 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 **absolute confiscation** of the above said detained goods i.e. "(i) Fourteen (14) Gold chains weighing 600 grams having purity 963 valued at Rs.26,90,310 and 4 silver coated gold ring weighing 67 grams having purity 919 valued at Rs.2,77,471/- totally weighing **667 Grams** valued at **Rs.28,81,258/- (Rupees Twenty Eight Lakhs Eighty One Thousand Two Hundred and Fifty Eight only)** recovered from the Noticee(s) under Panchanama dated 01.09.2022, under Section 111(d), 111(i), 111(j) & 111(m) & 111(o) of the Customs Act, 1962.*

*iv) I impose a penalty of **Rs.5,00,000/- (Rupees Five Lakh only)** under Section 112(a), Section 112(b) and Section 114AA of the Customs Act, 1962 on the Noticee Mr. Satwinder Singh for knowingly, intentionally & deliberately smuggling of 667 Gms of gold by using minor children and other passengers for the same.*

***v) I impose a penalty of Rs.2,00,000/- (Rupees Two Lakh Only) On each of the Noticee-2, Noticee-3, Noticee-4, Noticee-5, Noticee- 6, Noticee-7 under Section 112(a), Section 112(b) and Section 114AA of the Customs Act, 1962 for their acts of omission and commission as discussed above.”***

7. The submission on behalf of the Petitioner is that the Petitioner is concerned about the fact that because Rs.2,00,000/- (Rupees Two Lakh Only)



has been imposed as penalty upon him, the impugned order could be stigmatising the Petitioner forever.

8. Having heard the Petitioner, the Court had observed that the conduct of a national level taekwondo team, as also a coach being involved in such smuggling of gold is completely unacceptable, if the allegations are true. The relevant portion of the statements which have been recorded reveal that the coach, Mr. Satwinder Singh himself has accepted that he had handed over the gold items to the team members is as under:

*“6. That thereafter in the presence of panchas, Notice under Section 102 of the Customs Act, 1962, was served to Noticee. It is relevant to mention that the impugned Show Cause Notice has incorrectly mentioned that 'One yellow metal chain weighing 43 grams appearing to be gold and one silver/nickle coated rings weighing 17 grams appearing to be gold' collectively weighing 60 gms was found during personal search, however only one chain weighing 43 grams was with the Noticee and the other 17 gms ring was not with the Noticee. That the Panchnama and statement dated 01.09.2022 on this count is refuted.*

**7. That Sh. Satwinder Singh during the course of his statement under Section 108 has stated that he had given one gold chain to Sh. Vivek Kumar Singh and others and same does not belong to them.”**

9. On the last date, notice was issued to Mr. Satwinder Singh, coach of the national level taekwondo team. Today, he has appeared before this Court along with his Counsel- Mr. Jaideep Singh Ahuja.

10. On being queried, Mr. Ahuja, Id. Counsel submits that Mr. Satwinder Singh has challenged the impugned order dated 31<sup>st</sup> March 2025 before the Appellate Authority, Commissioner Appeals.



11. However, insofar as the Petitioner is concerned, Mr. Satwinder Singh has today, tendered an apology to him. The Petitioner has accepted the apology.

12. It is clear, therefore, that the Petitioner, who is a national level taekwondo player, had carried the gold chain and ring only upon his coach asking him to do so. Though the Petitioner could have refused to carry the said articles, considering the fact that Mr. Satwinder Singh was his coach and the young vulnerable age of the Petitioner, who could not dare to disobey his Coach, benefit of doubt deserves to be given to the Petitioner. This Court is of the opinion that the penalty in the impugned order dated 31<sup>st</sup> March 2025 *qua* the Petitioner deserves to be set aside.

13. Accordingly, the penalty *qua* the Petitioner in the impugned order dated 31<sup>st</sup> March 2025 is set aside. It is also made clear that the penalty demand on the Petitioner in the impugned order shall not act as being stigmatic to the Petitioner in any manner whatsoever or have any adverse impact on his future career prospects as the Petitioner has expressed regret. The matter shall thus, stand closed, insofar as the Petitioner is concerned.

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

**PRATHIBA M. SINGH  
JUDGE**

**SHAIL JAIN  
JUDGE**

**SEPTEMBER 10, 2025**

kk/ss