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

Date of decision: 18th August, 2025

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W.P.(C) 9582/2025

KRISHNAN SUBBAIAH

.....Petitioner

Through: Mr. S. Kanth and Mr. Utkarsh Tripathi,
Advs.

versus

COMMISSIONER OF CUSTOMS

.....Respondent

Through: Ms. AnushreeNarain, Mr. Naman
Choula, Advs.

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- Krishnan Subbaiah under Article 226 of the Constitution of India, *inter alia*, seeking release of the following goods which were seized from him *vide* Detention Receipt dated 11th February, 2024:
 - i. 1 gold kada (weighing 25 grams)
 - ii. 2 I phones (15 Pro Max, 256 GB)
 - iii. 7 S22 flip phones
 - iv. 3 laptops (Dell Latitude)
 - v. 1 valve steam deck (model 1030) and;
 - vi. 6 branded perfumes.
3. The Petitioner had travelled from Bahrain to Delhi on 11th February,



2024 and it was upon his arrival at the IGI Airport that the above items were intercepted and seized from his possession vide Detention Receipt dated 11th February, 2024 .

4. It is the case of the Petitioner that, though the detention receipt was issued to the Petitioner, till date no Show Cause Notice (SCN) has been issued and no Order-in-Original has been passed. This fact is also now confirmed by Id. counsel for the Respondent.

5. Under such circumstances, since the goods are dutiable goods, the detained items deserve to be released under Section 110 of the Customs Act, 1962.

6. Accordingly, the Petitioner shall appear for appraisalment on 11th September, 2025 before the competent authority and upon payment of duties and warehousing charges as applicable on the date of the detention, the goods shall be released to the Petitioner.

7. It is also clarified that if the Department wishes to pursue any other action against the Petitioner, it is free to do so in accordance with law and the present order shall not impede the initiation of such proceeding in any manner.

8. At this stage, Id. Standing Counsel to the Respondent - Department points out that the passport of the Petitioner has also not been annexed with the writ petition and prays for the Petitioner's identity be verified prior to release. Ordered accordingly.

9. The Nodal Officer mentioned below shall facilitate the Petitioner's appearance before the competent Authority for compliance with the present order.

Mr. Sandeep Lamba, Superintendent, Customs



*Office of Commissioner, Customs
IGI Airport, T-3, New Delhi
Mobile No. 7405345000
Email Id: igilegaldelhi@gmail.com*

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

**PRATHIBA M. SINGH
JUDGE**

**SHAIL JAIN
JUDGE**

AUGUST 18, 2025
dj/Ar.