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

Date of decision: 26th November, 2025

Uploaded on: 1st December, 2025

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W.P.(C) 9179/2025

CHESAM YASIN

.....Petitioner

Through: Mr. Pramod Kant Saxena, Adv.
versus

COMMISSIONER OF CUSTOMS

.....Respondent

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

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RENU BHATNAGAR

JUDGMENT

Prathiba M. Singh, J.

1. This hearing has been done through hybrid mode.
2. This matter is being taken up today, as 25th November 2025 was declared a holiday on account of 'Guru Tegh Bahadur's Martyrdom Day'.
3. The present petition has been filed on behalf of the Petitioner-Chesam Yasin under Article 226 of the Constitution of India, *inter alia*, challenging the detention receipt dated 19th July, 2022, by which the gold of the Petitioner weighing about 1070.6 grams was seized.
4. A brief background of the case is that the Petitioner arrived in Delhi from Imphal on 19th July, 2022. On the said date, he was searched by the officers of the Customs department and three capsules containing gold in paste form, weighing about 1070.6 grams were recovered from his body. It is stated in the detention receipt that when the said gold was subjected to refining



process, it yielded about 887 grams and was appraised for a tariff value of Rs. 38,83,747/-.

5. On the previous date of hearing i.e., 7th July, 2025, the Court had passed the following directions:

2. Pursuant to the direction of this Court on the last date of hearing i.e. 7th July, 2025, Ms. Anushree Narain, Id. Counsel submits that the Show Cause Notice was served upon the Petitioner in this matter.

3. Let a proper counter affidavit be filed in this regard within four weeks. Rejoinder, thereafter, if any, be filed within four weeks.

6. Today, Id. Counsel for the Respondent has handed over an affidavit dated 24th November, 2025, in which the Order-in-Original, which has been passed in this matter, dated 24th October, 2024 (*hereinafter, 'OIO'*) has been placed on record.

7. In the present case, as is evident from the OIO, three capsules suspected to contain gold weighing 1070.6 grams in paste form was extracted from the body of the passenger. The OIO directs absolute confiscation 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 order **absolute confiscation** of the above said seized gold **weighing 887 Grams (after extraction) having tariff value at Rs. 38,83,747/- (Rupees Thirty Eight Lakhs Eighty Three Thousand Seven Hundred Forty Seven Only)** recovered from the Noticee Mr.Chesam Yasin, under Panchnama dated 20.07.2022*



under Section 111(d), 111(i), 111(j), 111(l), 111(m) and 111(o) of the Customs Act, 1962.

*(iii). I impose a **penalty of Rs. 5,00,000/- (Rs. Five lakhs Only)** under Section 112(a), 112(b) and Section 114AA of the Customs Act, 1962 on the Noticee **Mr. Chesam Yasin** in respect of total weighing 887 grams of seized gold recovered from the Noticee and seized under Panchnama dated 20.07.2022*

*(iv). I impose a **penalty of Rs. 5,00,000/-(Rs. Five lakhs Only)** under Section 112(a), 112(b) and Section 114AA of the Customs Act, 1962 on the Owner **Mr. Shakir** in respect of total weighing 887 grams of seized gold recovered from the Noticee and seized under Panchnama dated 20.07.2022”*

8. Though the OIO has been passed, however, it appears that the Petitioner did not have a copy of the same. A copy of the affidavit be handed over to the Petitioner.

9. Accordingly, the Petitioner is at liberty to avail of the appellate remedies within a period of two months against the OIO. No further orders are called for in this matter.

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

PRATHIBA M. SINGH
JUDGE

RENU BHATNAGAR
JUDGE

NOVEMBER 26, 2025

dj/ sm