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

Date of decision: 29th October, 2025

+ **W.P.(C) 16382/2025**

MUYASSAR YUSUPOVA THROUGH OZOD YUSUPOV
AND ANOTHERPetitioner

Through: Ms. Richa Kumari and Mr. Pawan,
Advs.

versus

COMMISSIONER OF CUSTOMSRespondent

Through: Mr. Akshay Amritanshu, Senior
Standing Counsel with Ms. Drishti
Rawal, Mr. Mayur Goyal & Mr.
Sarthak Srivastava, Advs. (M:
9931282222)

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 Petitioners under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondent to comply with the Order-in-Original dated 31st January, 2025 passed by the Additional Commissioner of Customs, Terminal-3, IGI Airport, New Delhi (*hereinafter*, 'Order-in-Original').
3. Additionally, the Petitioners are also seeking release of the seized jewellery which was seized by the Customs Department on 8th June, 2024.
4. A brief background of the Petitioner's case is that, Petitioners are Uzbekistan nationals who were travelling to India in June, 2024. Petitioner



No.1 was travelling for medical treatment and Petitioner No.2, who was her acquaintance (friend's son), was accompanying her. Petitioner No.1 was wearing jewellery collectively weighing 259 grams, and Petitioner No.2 was wearing jewellery collectively weighing 208 grams (*hereinafter*, 'seized jewellery'). The seized jewellery is stated to be detained by the Customs Department *vide* detention receipt 8th June, 2024.

5. Subsequently, a Show Cause Notice was issued to the Petitioners on 4th December, 2024, and an Order-in-Original was passed on 31st January, 2025, allowing the re-export of the seized jewellery. The operative portion of the said order reads as under:

"ORDER

i) I deny the free allowance as admissible to the to the Noticee on account of various omission and commission, as discussed hereinabove:

ii) I declare the Noticee(s) are an "ineligible passenger" for the purpose of Notification No.50/2017-Cus dated 30.06.2017 (as amended) read with Baggage Rules, 2016(as amended).

*ii) I order **confiscation** of the above Gold items total weighing 464 Grams Gold valued at Rs. 21,21,831/- (Rupees Twenty One Lakh Twenty One Thousand Eeght Thirty One only), recovered from Ms. Muyassar Yusupova (Noticee-1) & Mr. Jasur Parmanov (Noticee-2) and seized from possession of them under Panchnama dated 111(d), 111(i), 111(m)& 111(o) of of the Customs Act, 1962;*

iv) I give an option to Ms.Muyassar Yusupova (Noticee-1) & Mr.Jasur Parmanov to redeem the goods confiscated above, on payment of Redemption Fine of Rs. 2,00,000/- (Rupees Two Lakh only) on each



of them under Section 125 of Customs Act, 1962 and allowed the same for re export only. The Noticee(s) are foreign Nationals, holder of Uzbekistan Passport No. FA8863686 (Noticee-1) issued on 19.12.2023 & Passport No. FA0208452 (Noticee-2) issued on 13.04.2019 at Uzbekistan. The redemption is to be allowed after the completion of legal formalities in this regard and also fulfilment of any regulatory clearances/ approvals required. The offer of redemption, if accepted, shall be subject to condition that the Noticee shall not dispute the identity and valuation of the seized goods. The offer of redemption shall cease after 120 days from the date of issuance of this order;

v) I impose a penalty of Rs. 1,00,000/- (Rupees One Lakh Thousand only) upon Ms. Muyassar Yusupova (Noticee-1) & Mr. Jasur Parmnanov (Noticee-2) on each of them for their act of omissions & commissions in respect of 464 gms Gold valued Rs.21,21,831/-under Section 112(a), Section 112(b) and 114AA of the Customs Act, 1962.”

6. Prior to the passing of the Order-in-Original, the Petitioner No.1 was deported back to Uzbekistan. Subsequently, she contacted a counsel, who wrote communication dated 27th June, 2025, to the Customs Department, for giving effect to the Order-in-Original. However, the Petitioner did not hear from the Customs Department. Hence, the present petition has been filed by the Petitioner.

7. Ms. Richa Kumari, Id. Counsel for the Petitioners submits that the Petitioners are willing to pay the redemption fine etc. in terms of the Order-in-Original, as the Petitioners would be re-exporting the seized jewellery.

8. Mr. Akshay Amritanshu, Id. SSC for the Respondent objects to the same, and submits that in terms of Section 125(3) of the Customs Act, 1962,



if the redemption fine is not paid within 120 days, from the date when the said option is given, the option shall become void.

9. The Court has considered the matter. A perusal of the deportation document clearly shows that the Petitioner No.1 was deported on 15th January, 2025. The Order-in-Original is dated 31st January, 2025. Thereafter, the Petitioner No.1 also appeared to have contacted the counsel, who had written a communication to the Customs Department, which is dated 27th June, 2025.

10. Under these circumstances, the Court is of the opinion that the Order-in-Original ought to be given effect to. Accordingly, the Petitioners shall pay the redemption fine, and comply with the terms and conditions of the Order-in-Original.

11. Upon compliance of the same, the seized jewellery shall be released to the Petitioners. For the said purpose, the Petitioners shall appear before the Customs Authority on 10th November, 2025. In respect of the same, let the Petitioner contact the following officer who shall assist the Petitioner with requisite procedure:

***Mr. Sandeep Lamba, Superintendent, Customs
Office of Commissioner, Customs
IGI Airports, T-3, New Delhi
Mobil No.7405345000
Email id: igilegaldelhi@gmail.com***

12. If the Petitioners are stationed abroad, they shall appear virtually through an Authorized Representative, with a duly authorized letter.

13. After verifying the credentials and identity of the Petitioners, the release of the seized jewellery shall be given effect to.



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

OCTOBER 29, 2025
dk/sm