



\$~68

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

+ **W.P.(C) 3350/2026 & CM APPL. 16147/2026**

DHEERAJ KUMAR JAIN

.....Petitioner

Through: Mr. Shashank Rai and Ms. Anushi
Agrawal, Advs.

versus

**COMMISSIONER OF CUSTOMS AIRPORT AND GENERAL &
ORS.**

.....Respondent

Through: Mr. Vishal Chadha, Senior Standing
Counsel with Mr. Chandan Kumar,
Adv. for R-1 & 3.
Mr. Santosh Kumar Pandey, Adv. for
R-2.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

% **17.03.2026**

W.P.(C) 3350/2026 & CM APPL. 16148/2026 (Stay)

1. Heard.
2. Issue notice to the respondents.
3. Learned counsels appearing for the respective respondents waive notice.
4. We make it clear that the since the mobile phone, which is presently under detention, has not been confiscated by virtue of the Order-in-Original, the same shall be produced before this Court on the next date of hearing, and



its custody shall forthwith be handed over to the petitioner.

5. In the meantime, if any data is required to be retrieved by the respondents in connect with the confiscation of the gold in question, they are at liberty to do so within the said period, especially in light of the fact that, as can be inferred from the impugned order, WhatsApp chats have already been retrieved and are in the custody of the respondents.

6. We direct that the gold confiscated from the petitioner shall not be disposed of until further orders.

7. We further make it clear that the respondents shall not be entitled to levy any warehousing charges *qua* the detention of mobile in question.

8. In the facts and circumstances of the case, particularly considering that the mobile phone was purchased way back and the invoice in respect thereof has already been produced on record.

9. Accordingly, re-notify on 25th March 2026.

10. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

AJAY DIGPAUL, J

MARCH 17, 2026/sky/dd