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

+ **W.P.(C) 144/2025**

ABDUL RAHIM MOHEMEDALI BASHIRPetitioner

Through: Mr. Amit Kumar Attri, Adv.

versus

UNION OF INDIA & ANR.Respondents

Through: Mr. Harpreet Singh, Adv.
Mr. Abhishek Khanna, SPC with Mr.
Parvesh Khanna, Advocates for R-1.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE DHARMESH SHARMA

ORDER

% **09.01.2025**

1. This hearing has been done through hybrid mode.
2. The Petitioner has filed the present petition under Article 226 and 227 seeking setting aside of the seizure of gold weighing 1242 gms *vide* detention receipt no. 38234 dated 25th August, 2024.
3. The case in the writ petition is that the Petitioner was travelling from Dubai to Bangkok *via* New Delhi. After the flight had landed from Dubai in Delhi, he was intercepted on the flight and made to deboard. Upon deboarding, a physical search was undertaken in which gold weighing 1242 gms were recovered from the possession of the Petitioner.
4. The case of the Petitioner is that the Customs Department did not have any jurisdiction to enter the flight in this manner and seize the gold as it is a transit area *i.e.*, the Petitioner was merely transiting *via* Delhi airport. The Petitioner is a Kenyan citizen and has, in fact, gone back to Kenya now. The



Petitioner prays to release the goods which have been seized.

5. Issue notice. Mr. Harpreet Singh, ld. Counsel who is present in Court is requested to accept notice.
6. Let reply be filed within four weeks. Rejoinder, thereto, be filed within four weeks.
7. List before the Joint Registrar on 24th February, 2025.
8. List before the Court 15th April, 2025.

PRATHIBA M. SINGH, J

DHARMESH SHARMA, J

JANUARY 9, 2025

dj/Am