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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CRWP-6651-2021 (O&M)  
Date of decision : 05.08.2021

Ashish @ Pakoda

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI  
HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Sachin Dhull, Advocate for  
Mr. Vijay Pal, Advocate for the petitioner.

Ms. Shruti Jain Goyal, DAG, Haryana.

(Through Video Conferencing)

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**AJAY TEWARI, J. (ORAL)**

1. Through this Criminal Writ Petition, the petitioner has prayed for grant of parole for four weeks to enable him to construct the house in Village Halalpur Block Rai, District Sonipat.

2. Today, Reply by way of affidavit of Mr. Dinesh Kumar, Deputy Superintendent, District Jail, Gurugram on behalf of respondent Nos.1 to 3 has been filed. The same is taken on record.

3. Learned counsel for the State argues that the petitioner is hardcore prisoner and many cases are pending against him and the matter relating to grant of parole or furlough to prisoner who are detected of using

cell phone or in possession of cell phone is pending before the Larger Bench.

4. Faced this, learned counsel for the petitioner seeks permission of this Court to withdraw the present Criminal Writ Petition with liberty to revive the same after the Larger Bench decides the issue as to whether a person from whom a phone has been allegedly recovered would fall under the category of Hardcore even before convicted in that offence by the Court.

5. In view of the above, the present Criminal Writ Petition is dismissed as withdrawn with liberty aforesaid.

6. Since the main case has been decided, the pending Criminal Miscellaneous Application, if any, shall stand disposed of.

**(AJAY TEWARI)**  
**JUDGE**

**(VIKAS BAHL)**  
**JUDGE**

**05.08.2021**

*Pawan*

**Whether speaking/reasoned:-**      **Yes/No**

**Whether reportable:-**      **Yes/No**