



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

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**CRWP-11908-2024 (O&M)
Decided on : 24.07.2025**

Kashish Aggarwal

... Petitioner(s)

Versus

Union of India and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Arvind Kr. Sharma, Advocate for
Mr. S.S. Rana, Advocate
for the applicant-petitioner.

Mr. Dharam Chand Mittal, Sr. Panel Counsel
for respondent No.1.

SANJAY VASHISTH, J. (Oral)

1. Criminal Misc. Application bearing No.CRM-W-1000-2025, under Section 528 of BNSS, 2023, has been filed seeking withdrawal of the main case i.e. CRWP-11908-2024, which is listed for 25.09.2025.

2. In the main case, on 10.12.2024, following order was passed:-

“ Through the instant petition filed under Article 226 of the Constitution of India, prayer is made to quash the order dated 19.11.2024 (Annexure P-8), whereby an application for grant of an emergency parole for 08 weeks, filed by the present petitioner, has been declined.

Notice of motion.

Mr. Dharam Chand Mittal, Sr. Penal Counsel, UOI, accepts notice on behalf of respondents no.1, and waives service, whereas, Mr.Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of respondents no.2 to 4.

*They seeks time to have instructions from the quarter concerned.
Adjourned to 09.01.2025.”*

Again on 21.01.2025, following order was passed:-

“ The petitioner raises the issue that having been convicted by the Court of United Kingdom, he was repatriated to India under the TSP agreement, on account of the plea that he being the only son of his ailing mother, is required to be with her, to look after her well being as there is no one else in the family.

Learned counsel for the petitioner while relying upon the order dated 16.02.2024 passed by the Coordinate Bench of this Court in CRWP-10276-2023 (Annexure P2) submits that law is well settled. When there is a conflict between the provisions of domestic law and that of the international law, the former will prevail.

However, there is none representing the respondent-Union of India, in the interest of justice, the hearing of the case is adjourned to

27.02.2025.

Let requisite information be forwarded to Sh. S.P. Jain, learned Additional Solicitor General, Union of India so that the arguments can be heard on the next date of hearing.”

3. Today, on the very outset, counsel submits that grievance of the petitioner has already been redressed by the concerned authority, and therefore, there is a joint request of counsel for the parties that the date of hearing in the main case, which is fixed for 25.09.2025 be also pre-poned for today itself, and then petitioner be allowed to withdraw the main case, i.e., CRWP-11908-2024.

4. Notice of the application.

5. Mr. Dharam Chand Mittal, Sr. Panel Counsel, who is present in Court, accepts notice on behalf of non-applicant/respondent No.1 and pleads no objection to the prayer made therein.

6. In view of the prayer and the averments made in the application, which is supported by an affidavit of the applicant-petitioner, date of hearing in the main case is pre-poned from 25.09.2025 to today itself i.e. 24.07.2025, and same is taken on board for its disposal.

7. As a necessary corollary, the main petition i.e. CRWP-11908-2024 is dismissed as withdrawn.

Criminal Misc. Application also stands **disposed of**.

(SANJAY VASHISTH)
JUDGE

July 24, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No