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

+ **W.P.(CRL) 2871/2015**

RAJU DAY

..... Petitioner

Represented by: **Mr. Aditya Vikram, Advocate.**

versus

STATE

..... Respondent

Represented by: **Ms. Richa Kapoor, Additional
Standing Counsel for the State
with Ms. Mallika Parmar and
Ms. Seema, Advocates.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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11.07.2016

Crl.M.A.No.17969/2015 (Exemption)

Allowed, subject to all just exceptions.

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In view of notification No.1078/G-4/Genl./DHC dated 6th July, 2016 the matters listed for 8th July, 2016 have been taken up today.

The petitioner has sought parole from the government on the ground that he has to file special leave petition, arrange funds for the same and maintain social ties.

Two status reports have been filed. Learned Additional Standing Counsel for the State has taken me through the status reports as per which the petitioner has been convicted for committing the rape of his own daughter. Thus neither the daughter nor the wife of the petitioner want to

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meet the petitioner. Further the mother and brother of the petitioner are residing at Purana Railway Colony, New Farakkha, Post and PS –Farakka Barrage, District-Murshidabad, West Bengal. The mother along with the petitioner's brother is unauthorisedly residing at the above known address. The brother of the petitioner is mentally unwell.

Considering the facts and circumstances of the case, I do not find any illegality in the order passed by the State informed by letter dated 2nd November, 2015 rejecting his request for grant of parole.

The Superintendent, Tihar Jail is however, directed to get the special leave petition against the judgment passed by this Court in the case of the appellant filed through a jail visiting counsel.

The petition is disposed of.

MUKTA GUPTA, J.

JULY 11, 2016
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