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

+ W.P.(CRL) 3347/2018

GAUTAM

..... Petitioner

Represented by: Mr.K.Singhal and Ms.Shilpa
G.Mittal, Advocates

versus

STATE

..... Respondent

Represented by: Mr.Rajesh Mahajan, ASC for the
State

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

26.02.2019

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1. By this petition, the petitioner had sought parole on the ground that he has to file a special leave petition and to maintain social ties and also challenges the communication dated 26th September, 2018 whereby his application seeking parole on the ground aforesaid was rejected. As per the status report, petitioner has been convicted for offence punishable under Section 376 IPC and Section 6 of the Protection of Children from sexual Offences Act (in short POCSO Act). The verification report shows that the brother of the petitioner is residing four houses away from that of the prosecutrix and they apprehend threat in case the petitioner is released. This Court had directed production of the petitioner for today so as to ascertain where the petitioner can reside besides his brother's house, the petitioner has given the address of his maternal grandmother who is also

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staying in the same area. As per learned counsel for the petitioner itself, the house of the prosecutrix and that of the grandmother of the petitioner is just two lanes apart.

2. Considering the fact that there is an apprehension of threat by the petitioner to the prosecutrix as also the fact that the special leave petition can be filed from the jail itself, this Court finds no ground to grant parole to the petitioner.

3. Petition is dismissed.

4. Copy of this order be communicated to the petitioner through Superintendent, Tihar Jail.

MUKTA GUPTA, J.

FEBRUARY 26, 2019

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