



Serial No. 11
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 60 of 2025 in
Crl.A. No. 35 of 2025

Date of Decision: 16.12.2025

Shri. Mano Sing Pariat
 S/o (L) J. Pala
 R/o Village : Moodymmai
 P.S. : Jowai
 District: West Jaintia Hills, Meghalaya

Presently lodged in District Prisons &
 Correctional Home, West Jaintia Hills
 District, Jowai.

..... Appellant

-Vs-

State of Meghalaya,
 Through the Public Prosecutor

..... Opposite Party/
 Respondent

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

For the Petitioner/Appellant(s) : Mr. S.D. Upadhaya, LAC.

For the Respondent(s) : Mr. S. Sengupta, Addl. PP.

JUDGMENT AND ORDER (ORAL)

1. Heard Mr. S.D. Upadhaya learned Legal Aid Counsel, who has submitted that this appeal is pending disposal, the subject matter being the



Judgment dated 25.09.2024 and the related Sentence dated 30.09.2024, wherein the appellant herein was convicted for an offence under Section 7 of the POCSO Act and made to undergo sentence for 3 years imprisonment with fine of ₹ 5000/- (Rupees five thousand) only.

2. The learned Legal Aid Counsel has further submitted that there is fair chance of the appeal succeeding, however, the fact of the matter is that the appellant had already undergone imprisonment for more than 2 (two) years.

3. It is on this account, i.e., the fact that the appellant had almost completed his sentence, as such, at this stage, since the appeal could not be disposed of, therefore prayer is made for suspension of the sentence and that the appellant may be allowed to go on bail with any condition that this Court may deemed fit and proper to impose.

4. Also, heard Mr. S. Sengupta learned Addl. PP, who has submitted that though, the State has no strong objection to the prayer made, however it is left to the discretion of this Court to pass necessary orders in this regard.

5. This Court has considered the submission made by the learned counsel for the respective parties and had also produce the memo of appeal.

6. Since no strong objection to the prayer for suspension of sentence of the appellant was made by the learned Addl. PP, and no relevant report has been received from the jail authorities, in absence thereof, it is assumed that the conduct of the appellant/convict is not in question.



7. One of the parameters to be considered by this Court as far as suspension of sentence is concerned, is for this Court to look into the entirety of the matter and the manner in which the hearing has proceeded, taking into account the fact that the appellant has only less than a year or so to complete his sentence, therefore under such circumstances, this Court is inclined to allow the prayer made for suspension of sentence.

8. Accordingly, the sentence of the appellant is hereby suspended till disposal of the appeal on conditions that:

- i) He shall not abscond or leave the jurisdiction of the State of Meghalaya; and
- ii) He shall bind himself on a personal bond of ₹ 20,000/- (Rupees twenty thousand) with one surety of like amount to the satisfaction of the learned Trial Judge who had passed the impugned judgment.

9. On the execution of the said bond, the appellant is directed to be released forthwith.

10. Matter stands disposed of.

Judge