



**Serial No. 03**  
**Supplementary List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

Crl.M.C. No. 69 of 2025

Date of Decision: 30.07.2025

Shri. Sheldar Syiemlieh,  
 Son of (L) R. Iawphniaw  
 (Convict presently serving sentence  
 In Correctional Home & Prisons,  
 Shillong).  
 Resident of Mawkhan Pambah Village,  
 P.S. Nongstoin,  
 District West Khasi Hills,  
 Meghalaya.

..... **Applicant**

-Vs-

State of Meghalaya  
 Through the Commissioner & Secretary  
 to the Government of Meghalaya,  
 Department of Home (Police),  
 Civil Secretariat, Shillong.

..... **Respondents.**

**Coram:**

**Hon'ble Mr. Justice W. Diengdoh, Judge**

**Hon'ble Mr. Justice B. Bhattacharjee, Judge**

**Appearance:**

For the Petitioner/Applicant(s) : Ms. P. Chettri, Legal Aid Counsel.

For the Respondent(s) : Mr. R. Gurung, GA.

i) Whether approved for reporting in Yes/No



Law journals etc.:

ii) Whether approved for publication  
in press:

Yes/No

**Per W. Diengdoh, (J):**

### **JUDGMENT AND ORDER (ORAL)**

1. Heard Ms. P. Chettri, learned Legal Aid Counsel for the applicant as well as Mr. R. Gurung, learned GA for the State respondent.

2. Learned counsel for the applicant has submitted that this Court vide order dated 13.06.2025 passed in CrI.M.C. No. 93 and 94 of 2024 in CrI.A. No. 43 of 2024, had in effect directed for suspension of the sentence imposed upon the applicant herein in connection with Special (POCSO) Case No. 18 of 2018, whereby vide order dated 18.08.2023, the learned Special Judge (POCSO), West Khasi Hills District, Nongstoin, had imposed such sentence on the appellant being convicted therein.

3. On suspension of the sentence, the applicant had approached the Trial Court with a prayer for grant of bail which was rejected on the ground that there was no specific order passed by this Court. Accordingly, the applicant has now approached this Court with a prayer, inter alia, for grant of bail to the said applicant, pending the related proceedings before the Trial Court.



4. The learned GA has submitted that it is left to the discretion of this Court to pass necessary orders.

5. This Court has reiterated the principle that more often than not, when a sentence is suspended as far as conviction in a criminal case is concerned, looking into the facts and circumstances of the case, and applying the principles of bail thereto, generally bail is granted, if there are no circumstances or factors which would go against the applicant therein. In this instant case, we are convinced that the applicant is entitled to be granted bail.

6. Accordingly, we direct the applicant to be enlarged on bail on the following conditions that:

- i) He shall not abscond;
- ii) He shall appear before the Trial Court as and when required;
- iii) He shall not leave the jurisdiction of the State of Meghalaya until permission is granted by the Trial Court to that extent; and
- iv) He shall bind himself on a personal bond of ₹ 20,000/- (Rupees twenty thousand) only with one surety of like amount to the satisfaction of the Trial Court which would



accept the execution of such bond.

7. The above noted conditions would be applicable only if he is not wanted in any other case.

8. Misc. Case disposed of.

**(B. Bhattacharjee)**  
**Judge**

**(W. Diengdoh)**  
**Judge**