



IN THE HIGH COURT OF MANIPUR
AT IMPHAL

MC(Cril. A.) No. 31 of 2026

Konsam Henba Singh @ Irabanta aged about 60 years, S/o
(L) K. Rishi Singh of Khurai Thangjam Leikai, P.O. & P.S.
Porompat, Imphal East District, Manipur.

... Applicant/ Appellant

-Versus-

The State of Manipur represented by the Commissioner
(Home), Government of Manipur, Mantripukhri, Imphal,
Manipur – 795002.

... Respondent

AND IN THE MATTER OF
Cril. Appeal No. of 2026

Konsam Henba Singh @ Irabanta aged about 60 years, S/o
(L) K. Rishi Singh of Khurai Thangjam Leikai, P.O. & P.S.
Porompat, Imphal East District, Manipur.

...Appellant

-Versus-

The State of Manipur represented by the Commissioner
(Home), Government of Manipur, Mantripukhri, Imphal,
Manipur – 795002.

... Respondent

B E F O R E
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

For the applicant	:: Mr. S. Biswajit, Senior Advocate instructed by Mr. Robinchandra, Advocate
For the respondent	:: Mr. W. Niranjit, State counsel
Date of order	:: 10-08-2026

**O R D E R**

(Order of the Court was made by M. Sundar, CJ)

[1] Captioned MC (Miscellaneous Case) has been filed with a Condonation of Delay (CoD) prayer *qua* 2,760 days in filing a life appeal assailing Judgment and Sentence dated 30-10-2018 and 02-11-2018 respectively made by Learned Sessions Judge, Imphal East, Manipur, in Sessions Trial No. 3 of 2017 for alleged offences *inter alia* under Section 302 of erstwhile IPC. This Judgment and Sentence shall be collectively referred to as 'impugned judgment' for the sake of convenience and clarity.

[2] In the hearing today, Mr. S. Biswajit, learned Senior Advocate instructed by Mr. Ng. Robinchandra, counsel on record for the MC applicant is before this court.

[3] Adverting to the MC application, learned Senior Advocate submits that he is appearing Pro Bono in the matter, the same having been referred to him by the High Court Legal Services Committee (HCLSC), the MC applicant has been languishing in Sajiwa Central Jail, Manipur, on and from 30-10-2018, he does not have resources for engaging a counsel suffers from poor vision and ultimately HCLSC came to his aid. This has occasioned the delay which is sought to be condoned is learned senior counsel's further say.

[4] Mr. W. Niranjit Singh, learned State counsel, adverting to an affidavit-in-opposition dated 10-08-2026 made a faint attempt to



oppose the CoD prayer on the ground that there is an error in computation of number of days delay sought to be condoned. Learned State counsel submitted that while 2760 days delay has been sought to be condoned, it should actually be 2764 days, as four days have been wrongly left out while computing the number of days spent in obtaining certified copy of the impugned judgment. Learned counsel adverting to paragraph 6 of the affidavit-in-opposition also submitted that good grounds/ reasonable explanation have not been raised/ not given.

[5] Responding to the above, Mr. S. Biswajit, learned senior counsel very fairly submitted that his instructing counsel has made an inadvertent error in computation and the number of days delay sought to be condoned should actually be 2764.

[6] Considering the minor error in computation, taking into account the facts and circumstances of the case, noticing that it is a life appeal *qua* a prisoner who remains incarcerated for over eight years, more particularly the manner in which the MC applicant is circumstanced, this court, making it clear that this order will not serve as a precedent in all cases where there is error in computation *qua* number of days delay sought to be condoned deems it appropriate to construe the captioned MC as one of the condonation of 2764 days delay.



[7] Be that as it may, captioned MC is a CoD prayer *qua* life appeal as already alluded to supra. The MC applicant remains incarcerated for nearly 8 (eight) years, he does not have the means to engage a counsel and does not have the resources to afford a private counsel. HCLSC has extended legal aid to him and learned senior counsel is appearing Pro Bono.

[8] Taking into account the fact that main appeal is a life appeal and also considering the manner in which the MC applicant is circumstanced i.e., lack of resources, inadequate family support besides poor vision are accepted as good and reasonable reasons *qua* the CoD prayer. Therefore, the CoD prayer in the captioned MC is acceded to.

[9] Before writing the operative portion of instant order in captioned MC, this court deems it appropriate to extract and reproduce proceedings/ order made by this court in the previous listing on 03-08-2026, we do so and the same reads as follows:

'03.08.2026

[1] Mr. S. Biswajit Meitei, learned senior advocate instructed by Mr. W. Sanatomba, learned counsel on record for the MC(Miscellaneous Case) applicant is before this court.

[2] Captioned MC has been filed with a Condonation of Delay (CoD) prayer qua a life appeal. It comes to light that Senior Advocate Mr. S. Biswajit Meitei, is appearing at the instance of High Court Legal Services Committee (HCLSC) Pro Bono.



[3] Issue Notice.

[4] Mr. W. Niranjit, learned State counsel who is present in Court accepts notice and Mr. RK Umakanta, learned State Public Prosecutor leading him is also present in Court. Mr. W. Niranjit seeks time to get instructions and brief Mr. RK Umakanta, learned State Public Prosecutor.

[5] Be that as it may, in the light of difficulty expressed by Pro Bono counsel inter alia in getting some papers viz., Bail Order dated 06-01-2017, Charge-Sheet, statement of PWs etc., this Court deems it appropriate to requisition the entire records from the Trial Court.

[6] Learned Sessions Judge, Imphal East, Manipur, is directed to send the entire records pertaining to Sessions Trial No. 3 of 2017 which was disposed of by the Sessions Court vide judgment and order dated 30-10-2018 and Sentence dated 02-11-2018. Registry of this Court is directed to send this order to the afore-referred Trial Court by special messenger and the learned Presiding Officer of afore-referred Sessions Court is directed to send the entire records through special messenger forthwith and in any event, by this Friday, i.e., 07-08-2026.

[7] List one week hence.

[8] List on 10-08-2026.'

[10] Pursuant to aforesaid referred proceedings made in previous listing, more particularly paragraph 6 thereat, Sessions Court has sent the entire records pertaining to Sessions Trial No. 3 of 2017. As this is a Pro Bono matter which is before this court at the instance of HCLSC, registry is directed to furnish copies that are sought for from the records of the Sessions Court to one of the counsel on record for the MC applicant under due acknowledgement. Thereafter, it is for the counsel on record to comply with and clear objections raised by the registry. After this is done, if all objections are



cleared and if the appeal is otherwise in order, registry is directed to number the main appeal and list the same before this court.

[11] Ergo, the sequitur is, captioned MC is ordered as prayed for/ allowed albeit with observations and directions as set out supra.

There shall be no order as to cost.

JUDGE

CHIEF JUSTICE

Devananda