



Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

AB No. 19 of 2026

Date of Decision: 26.06.2026

Shri. Tengan Thomas G. Momin
S/o. Shri. Mojithson Momin
R/o Nongchram Ading
P.O. & P.S Rongjeng, East Garo Hills
Williamnagar District, Meghalaya

....Petitioner

-Versus-

1. The State of Meghalaya
Represented by Secretary, Department of Home & Police Affairs
Meghalaya, Shillong.
2. The Superintendent of Police,
East Garo Hills District, Williamnagar,
Meghalaya.
3. Investigation Officer,
Williamnagar Women P.S,
East Garo Hills, District, Meghalaya.
4. Officer-In-Charge,
Williamnagar Women P.S,
East Garo Hills District Meghalaya.
5. Smti. XYZ (Complainant)
Amended vide Court order dated 20.05.2026

....Respondents

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

- | | | |
|-----|---|--------|
| i) | Whether approved for reporting in
Law journals etc.: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |

**Appearance:**

For the Petitioner/Appellant(s) : Mr. P.T. Sangma, Adv.

For the Respondent(s) : Mrs. N.G. Shylla, Sr. GA with
Ms. S.Kh. Nongrum, GA (For R 1-4)
Ms. S.S. Marak, DCLADC (For R 5)

JUDGEMENT AND ORDER (ORAL)

1. Heard Mr. P.T. Sangma, learned counsel for the petitioner who has submitted that the respondent No. 5/complainant has lodged an FIR dated 18.04.2026 before the Officer In-charge, Rongjeng Police Station, East Garo Hills District, Meghalaya. In the said FIR, an allegation has been made against the petitioner herein to the extent that it was alleged that the petitioner was engaged to her and they had a relationship for the past one and a half year. In this relationship, the complainant became pregnant and on 16.01.2026 the petitioner had deceived her into drinking water mixed with an abortion pill, following which after three days she suffered a miscarriage and lost her child. It was also alleged that the petitioner has abandoned her and refused to take any responsibility causing her to go into emotional distress, physical suffering and social humiliation. The said FIR was registered as Williamnagar Women P.S. Case No. 14(04) of 2026 under Section 89/318(2)/69 BNS and investigation was launched.

2. The learned counsel has further submitted that the petitioner being named in the said FIR, has accordingly preferred an application for grant of pre-arrest bail before the court of the District and Sessions Judge, East Garo Hills District. The said application was, however, rejected vide order dated 11.05.2026.

3. The learned counsel has again submitted that the allegations made against him are false and that there was no intention on his part to cause



harm to the complainant to the extent that she would lose her child as a result of the said miscarriage. In fact, it is on record that on 19.02.2026 there was an engagement ceremony between the two in the presence of the parents, close relatives and family members of both the parties at the residence of the petitioner. This fact was also not disputed by the complainant.

4. Since the petitioner is apprehensive of being arrested by the police at any point of time in connection with the said case, it is prayed that this Court may be pleased to grant anticipatory bail with any conditions which may be imposed upon him. In this regard, the petitioner has also submitted that this Court at the initial stage of hearing of this application had granted interim bail to the petitioner with a direction for him to appear before the IO. Accordingly, he had appeared before the IO and has got his interrogation statement recorded on 04.06.2026.

5. Mrs. N.G. Shylla, learned Sr. GA along with Ms. S.Kh. Nongrum, learned GA appearing on behalf of the State respondent Nos. 1-4, in her submission has strongly opposed the prayer made by the petitioner on the ground that the allegations made are very serious in nature inasmuch as the complainant/victim was made to suffer not only physically but also psychologically thereby causing physical and mental trauma as a result of what the petitioner has done to her. Therefore, to allow the prayer made is to condone the dastardly act perpetrated by the petitioner.

6. Ms. S.S. Marak, learned DCLADC speaking on behalf of the complainant/victim has submitted that there is strong objection to the prayer for grant of anticipatory bail by the petitioner on the ground that the offence involved are serious in nature and if enlarged on bail, the petitioner may scuttle the process of investigation and there is every possibility that he will



abscond. The fact that the complainant/victim and the petitioner are residing in the same locality is also a factor to be considered taking into account the safety of the complainant/victim. It is however not denied that the engagement ceremony was indeed solemnized in the month of February, 2026 though as far as the complainant is concerned, the same is just a formality.

7. This Court has considered the submission made by the parties and has also perused the case diary produced today. The fact that there exists a relationship between the petitioner and the complainant and that they have had physical relationship too is evident from the statement of the parties made before the IO. However, as to the allegation that the complainant/victim had suffered a miscarriage, there is no medical record available with the IO, nor was the same produced before this Court. From the case diary a perusal of the medical records pertaining to the complainant/victim, for example, the urine test for pregnancy produced a negative finding and the overall opinion of the doctor who has examined her is that “...*there are no signs of physical trauma/injury...*” the final impression is that there is no significant abnormality.

8. In view of this, at this juncture, there is no prima facie evidence against the petitioner as far as his involvement in the alleged act against the complainant/victim is concerned. Though it is too early in the day to come to a final conclusion in this regard considering the fact that investigation is not yet completed and the charge sheet has not yet been filed.

9. The fact that the petitioner has also appeared before the IO and his statement recorded, at this stage this Court is convinced that custodial interrogation may not be required.



10. Accordingly, under the facts and circumstances indicated hereinabove, the prayer of the petitioner is hereby allowed. In the event of his arrest, he is to be released on bail on the following conditions that:

- i. He shall not abscond or tamper with any evidence or witnesses;
- ii. He shall appear before the IO as and when required;
- iii. He shall not leave the jurisdiction of Meghalaya during pendency of investigation or trial without prior permission from the concerned IO or the court, if it comes to that;
- iv. He shall not come into contact with the complainant/survivor in any manner during the pendency of the case;
- v. He shall bind himself on a personal bond of ₹ 50,000/- (Rupees Fifty Thousand) only with one surety of like amount to the satisfaction of the competent court of jurisdiction.

11. The interim bail granted is hereby made absolute.

12. Petition disposed of.

Judge

Meghalaya
26.06.2026
"Tiprilynti-PS"