



Serial No. 04
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

BA. No. 33 of 2026

Date of Decision: 10.07.2026

Sumer
 S/o Balvant
 Brother in law of the accused
 R/o Choradi Aguni, Tehsil Chirawa,
 P.O Dhingaria, P.S. Chirawa
 District: Jhunjhunu, Rajasthan – 333033.

..... **Petitioner**

- Vs-

1. The State of Meghalaya represented by
The learned Public Prosecutor.
2. Shri. X, son of XY, resident of XYZ
(Complainant)

..... **Respondents**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. P. Ghosh, Adv. with
Ms. N.M. Kharshemlang, Adv.

For the Respondent(s) : Mr. H. Abraham, GA
Mr. S.A. Sheikh, GA.
Mr. K.P. Bhattacharjee, GA.

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

Yes/No

JUDGMENT AND ORDER (ORAL)

1. Seen the compliance report dated 27.06.2026 filed by the Investigating Officer.

2. In the said report, the Investigating Officer has stated that the notice was duly affected upon the complainant on 27.06.2026, however, on inquiry from the said complainant, he has indicated that he is unable to engage a private counsel and that he wishes to be represented by the learned Public Prosecutor.

3. Heard Mr. P. Ghosh, learned counsel for the petitioner, who has submitted that this is an application under Section 483 BNSS, 2023 for grant of bail on behalf of the accused, Shri. Debu Singh, who was initially arrested in connection with Rongjeng P.S. Case No. 31 (10) 2015 under Section 366/370/370A/34 IPC read with Section 5(1)/6 POCSO Act. The charge sheet having been filed, he was made to stand trial in connection with Special (POCSO) Case No. 9 of 2023 which is pending before the Court of the learned Special Judge (POCSO), East Garo Hills District, Williamnagar.

4. It is also the submission of the learned counsel that, admittedly, the survivor was sexually assaulted by 3(three) persons and was eventually abducted and taken to the State of Rajasthan where she was allegedly sold for a sum of ₹



2,00,000/- (Rupees two lakhs) and was married to the accused person in question.

5. In course of the marital relationship between the two, three children were born out of this wedlock and both the survivor and her husband are residing in the State of Rajasthan. However, the police from Meghalaya had come to the place of residence of the survivor and her accused husband, and consequently, he was arrested with charges of sexual assault.

6. It is the further submission of the learned counsel that, admittedly, there may have been incidence of sexual assault upon the survivor, but those accused persons are not at all related or connected to the accused person in question, as, in keeping with the tradition of his community, he was legally married to the survivor. However, since he has been arrested in connection with the case initiated by the complainant/father of the survivor, he is therefore languishing in judicial custody from the year 2023 till date.

7. The learned counsel also submits that the trial is going on, in which 6(six) prosecution witnesses have their evidence recorded, among the said witnesses, are the survivor and the complainant. Therefore, at this point of time, it is prayed that the accused person in question may be granted bail with any conditions that this Court may deem fit and proper to impose.

8. Mr. H. Abraham, learned GA appearing on behalf of the State



respondent has opposed the prayer made, and has submitted that the survivor has clearly implicated the accused person in question and has also indicated in her evidence that her marriage to him was through coercion and force, the fact being that she was confined to her in-laws' house at Rajasthan has no means to communicate to her family in Meghalaya. Under such circumstances, the prayer made in this petition may not be considered, further submits the learned GA.

9. This Court has heard the learned counsels for the parties, and has also been drawn to its earlier order dated 15.12.2025 passed in BA. No. 60 of 2025, concerning the accused person, who had then also sought for grant of bail on his being incarcerated in connection with the said case, copy of the said order dated 15.12.2025 has been annexed with this petition as Annexure-7 page 63.

10. On perusal of the records and the documents produced before this Court, this Court is conscious of the fact that this is a case where, prima facie, there has been an exploitation of the person and personality of the survivor, inasmuch as, she was made to face the ordeal of being sexually assaulted initially by three persons, and was eventually sold off as a piece of merchandise to be married to the accused person in question, such a situation would indeed shock the conscience of the Court.

11. Without going into the merits of the case, since the whole body of the evidence has not yet been recorded, this Court, as far as the accused person



in question is concerned, is not inclined to allow the prayer made in this petition.

12. This petition being devoid of merits, the same is hereby rejected and disposed of.

Judge