



Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 124 of 2026

Date of Decision: 13.07.2026

Shri. Sengwen Ch. Momin
Son of Shri. Premith R. Marak of
Rongmai Songgital, P.O Dimapur,
PS- Gasupara, South Garo Hills District,
Meghalaya.
Presently lodged in District Prison and
Correctional Home, Tura.

..... Petitioner

-Vs-

The State of Meghalaya represented by
Commissioner & Secretary Home,
Shillong

..... Respondent

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. S. Pandit, Adv.
Ms. T.A. Sangma, Adv.

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

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



Per W. Diengdoh, (J):

JUDGMENT AND ORDER (ORAL)

1. Heard Mr. S. Pandit, learned counsel for the applicant/convict, who has submitted that the applicant/convict has preferred an appeal before this Court against the impugned judgment dated 08.12.2025 and related order of sentence dated 15.12.2025 passed by the Court of the learned Special Judge (POCSO), South Garo Hills District, Baghmara in POCSO Case No. 5 of 2024, whereby, he was convicted and sentenced to undergo imprisonment for a period of 6(six) years with fine of ₹ 20,000/- (Rupees twenty thousand) only, and in default thereof, to undergo another 3(three) months of imprisonment for an offence punishable under Section 354B IPC. The convict is also sentenced to undergo imprisonment for a period of 9(nine) years with fine of ₹ 30,000/- (Rupees thirty thousand) only, and in default thereof, to undergo another 6(six) months of imprisonment for an offence punishable under Section 366 IPC, under Section 370 IPC, the convict is also sentenced to imprisonment for a period of 12(twelve) years with fine of ₹ 50,000/- (Rupees fifty thousand) only, in default of payment of fine, to undergo another 9(nine) months of imprisonment and under Section 6 POCSO Act, the convict is sentenced to undergo imprisonment for a period of 22(twenty-two) years with fine of ₹ 3,00,000/- (Rupees three lakhs) only, and in default of payment of fine, to undergo another 1(one) year of imprisonment.



2. However, while preferring an appeal, a delay of 140 days has occurred, due to circumstances which is beyond the control of the applicant/convict, being a farmer by profession and belonging from a poor family background with no support from his family members/relatives, is not aware of his legal rights to file appeal or to engage a private counsel. As such, he could not prefer an appeal within the prescribed period of limitation. It is therefore prayed that the delay be condoned and the appeal be admitted.

3. Mr. R. Gurung, learned GA appearing for the State respondent has no objection to the prayer for condonation of the delay.

4. On consideration of the submission made, we are persuaded to allow this application on being satisfied that the grounds cited for the delay contain sufficient cause. Accordingly, the delay of 140 days in preferring the appeal is hereby condoned.

5. Registry is directed to diarize the appeal and list it for admission after 1(one) week.

6. Misc. Case disposed of.

(B. Bhattacharjee)
Judge

(W. Diengdoh)
Judge