Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 10 of 2025

Date of Decision: 25.02.2025

Shri. Lolitson Ch. Marak,
S/o Shri. Rangbal M. Sangma,
Resident of Village Sarang Apal, P.O
Wageasi, P.S Mendipathar,
North Garo Hills District,
Meghalaya.

::::: **Applicant**

-Vs-

1. The State of Meghalaya through
its Superintendent of Police,
North Garo Hills District,
Meghalaya.

2. The Officer-in-Charge,
Dainadubi Outpost,
North Garo Hills District,
Meghalaya.

3. Shri. Watson R. Marak,
S/o Shri. Jongrin Sangma,
R/o Depa Garat, P.O & P.S
Dainadubi, P.S Mendipathar,
North Garo Hills District,
Meghalaya.

::::: **Respondents**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s)	:	Ms. D.F. Mawrie, Adv.
For the Respondent(s)	:	Mr. N.D. Chullai, AAG with Ms. R. Colney, GA. for R 1 & 2.

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 Ms. D.F. Mawrie, learned counsel for the applicant/accused, who has submitted that the applicant/accused had preferred an appeal before this Court against the judgment and order dated 21.04.2022 passed by the learned Special Judge (POCSO), North Garo Hills District, Resubelpara in Special (POCSO) Case No. 17 of 2017.

2. The learned counsel also submits that, on the strength of such judgment and order, the accused/applicant was convicted and he was immediately taken into custody. In the meantime, due to his poor economical background and illiteracy, he was not made aware of the remedy available for filing an appeal before this Court. However, on coming to learn of such remedy, he has accordingly contacted the counsel, who has then prepared the memo of appeal, and has also filed this instant

application with a prayer for condonation of delay of 974 days in preferring the appeal. As such, she prays that this application may be allowed and the appeal may be brought on record.

3. Mr. N.D. Chullai, learned AAG assisted by Ms. R. Colney, learned GA for the State respondent Nos. 1 & 2 has opposed the prayer made in this application on the ground that sufficient reasons or rather sufficient cause has not been shown as to why the delay has been caused in preferring the appeal.

4. This Court has considered the submission made, and is more inclined to go into the merits of the case of the applicant/convict, and considering the reasons cited in this application, we find such reasons to be sufficient cause. Accordingly, the delay of 974 days in filing the appeal is condoned.

5. Misc. Case stands disposed of.

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

(B. Bhattacharjee)
Judge

(W. Diengdoh)
Judge

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Date: 2025.02.25 17:21:18 IST