Serial No. 04
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 35 of 2026

Date of Decision: 23.03.2026

Shri. Phi Pohthmi
S/o (L) Rymbui Pohtam
R/o Padu Village, War Jaintia,
P.S Lumshnong, East Jaintia Hills District,
Meghalaya.

…….. **Applicant/Appellant**

-Vs-

State of Meghalaya represented by
The Public Prosecutor.

…… **Respondent**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. A. Dey, Legal Aid Counsel.

For the Respondent(s) : Mr. H. Abraham, GA.
Mr. R. Gurung, GA.

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. A. Dey, learned Legal Aid Counsel for the applicant, who has submitted that the applicant has filed an appeal before this Court, being aggrieved by the impugned judgment and related order of sentence dated 30.11.2022 passed by the Court of the learned Special Judge (POCSO), East Jaintia Hills District, Khliehriat in Spl POCSO Case No. 39 of 2020.

2. However, while preferring an appeal, a delay of 1142 days has occurred, due to circumstances which is beyond the control of the applicant, as such, he could not prefer an appeal within the prescribed period of limitation. Thereafter, a Legal Aid Counsel was provided to him, and eventually, the appeal was prepared by the Legal Aid Counsel. It is therefore prayed that the delay be condoned and the appeal be admitted.

3. Mr. H. Abraham, 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 find that there are good grounds for the appeal to be heard on merits. Accordingly, the delay of 1142 days in preferring the appeal is hereby condoned.

5. Registry is directed to diarize the appeal and list it for admission on 01.04.2026.

6. Misc. Case disposed of.

(B. Bhattacharjee)
Judge

(W. Diengdoh)
Judge

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Date: 2026.03.23 20:19:03 IST