Serial No. 05
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 37 of 2026

Date of Decision: 23.03.2026

Md. Atwar Ali
S/o (L) Abdul Rahman,
R/o Dakinhatichula Village,
P.O Barovidya, P.S. Chaigoan,
District: Kamrup, Assam.
Presently lodged in District Jail, Nongpoh.

…….. **Applicant/Petitioner**

-Vs-

1. The State of Meghalaya, represented by
The Secretary to the Government of Meghalaya,
Home (Police), Shillong.

2. The Superintendent of Police,
Ri-Bhoi District, Nongpoh,
Meghalaya.

…… **Opposite Parties**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. S. Kumar, Adv.

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

i) Whether approved for reporting in Yes/No

Law journals etc.:

ii) Whether approved for publication in press: Yes/No

Per W. Diengdoh, (J):

JUDGMENT AND ORDER (ORAL)

1. Heard Mr. S. Kumar, learned counsel for the applicant, who has submitted that the applicant has filed an appeal before this Court, being aggrieved by the impugned judgment dated 16.10.2025 and related order of sentence dated 17.10.2025 passed by the Court of the learned Sessions Judge, Ri-Bhoi District, Nongpoh in Sessions Case No. 156 of 2015 under Section 376(1) IPC.

2. However, while preferring an appeal, a delay of 90 days has occurred, due to circumstances which is beyond the control of the applicant, since he is an illiterate and poor person, 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 find that there are good grounds for the appeal to be heard on merits. Accordingly, the delay of 90 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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