Serial No. 02
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 40 of 2026

Date of Decision: 24.03.2026

Shri Anand Swarup Rai
Son of (L) Ramprit Rai,
(Convict presently serving sentence at
District Jail, Jowai).
Resident of Chakhaje Village,
P.S. Tisiauta, Vaishali District, Bihar.

…….. **Applicant/Petitioner**

- Vs-

State of Meghalaya through the
Commissioner & Secretary to the
Government of Meghalaya,
Department of Home (Police),
Civil Secretariat, Shillong.

…… **Respondent**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Ms. R. Dutta, Legal Aid Counsel.
Mr. S. Chanda, Adv.

For the Respondent(s) : Ms. S. Shyam, GA

i) Whether approved for reporting in Law journals etc.: Yes/No

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

JUDGMENT AND ORDER (ORAL)

1. Heard Ms. R. Dutta, learned Legal Aid Counsel for the applicant, who has submitted that the applicant has filed an appeal before this Court, being aggrieved and dissatisfied by the impugned judgment dated 06.12.2024 and related order of sentence dated 09.12.2024 passed by the Court of the learned Special Judge (POCSO), East Jaintia Hills District, Khliehriat in POCSO Case No. 26 of 2021 under Section 7/8/9(m)/10 of the POCSO Act, 2012.

2. However, while preferring an appeal, a delay of 408 days has occurred, due to circumstances which is beyond the control of the applicant, inasmuch as, there was no support from his family members/relatives, 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. Ms. S. Shyam, 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, this Court is inclined to allow this application on being satisfied that the grounds cited for the delay

contain sufficient cause. Accordingly, the delay of 408 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.

Judge

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Date: 2026.03.24 17:53:21 IST