



Serial No. 05
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 69 of 2026

Date of Decision: 27.04.2026

Shri. Sebastian Kharjana,
S/o Shri. Louis Myllemumlong,
R/o Umlyngka Maw Syiem,
Upper Shillong,
East Khasi Hills District,
Meghalaya.

..... **Applicant**

-Vs-

1. The State of Meghalaya represented by the
Public Prosecutor/Special Public Prosecutor.
2. The Officer-in-Charge,
Lumdiengjri Police Station,
Shillong, East Khasi 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. I.M. Lyngdoh, Legal Aid Counsel.

For the Respondent(s) : Mrs. N.G. Shylla, Sr. GA with
Ms. Z.E. Nongkynrih, 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 Ms. I.M. Lyngdoh, learned Legal Aid Counsel for the applicant, who has submitted that the applicant has preferred an appeal before this Court against the impugned judgment dated 24.10.2024 and related order of sentence dated 29.10.2024 passed by the Court of the learned Special Judge (POCSO), East Khasi Hills District, Shillong in Special (POCSO) Case No. 54 of 2016 under Section 6 of the POCSO Act read with Section 376(2)(i) IPC.
2. However, while preferring an appeal, a delay of 484 days has occurred, due to circumstances which is beyond the control of the applicant, since he is an uneducated person, 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. Thereafter, legal aid was sought for, and accordingly, this application was processed through Legal Aid Counsel. It is therefore prayed that the delay be condoned and the appeal be admitted.
3. Mrs. N.G. Shylla, learned Sr. GA assisted by Ms. Z.E. Nongkynrih, 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 484 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