



Serial No. 07
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

CrI.M.C. No. 76 of 2026

Date of Decision: 29.04.2026

Shri. Lucky Dhar,
 Son of Smti. Rida Dhar,
 R/o Pdengshakap Village,
 West Jaintia Hills District, Meghalaya.
 Presently serving sentence in
 District Prisons & Correctional Services,
 Jowai.

..... Appellant/Petitioner

- Vs -

State of Meghalaya
 (Through the Public Prosecutor)

..... Respondent

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. R.H. Alice, Legal Aid Counsel.

For the Respondent(s) : Mr. A.H. Kharwanlang, Addl. PP.

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 Mr. R.H. Alice, 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 and related order of sentence dated 29.09.2023 passed by the Court of the learned Special Judge (POCSO), West Jaintia Hills District, Jowai in Special Session (POCSO) Case No. 16 of 2020, whereby, he was convicted and directed to undergo rigorous imprisonment for a period of 3(three) years with fine of ₹ 5000/- (Rupees five thousand) only, and in default thereof, to undergo simple imprisonment of 1(one) month.

2. However, while preferring an appeal, a delay of 882 days has occurred, due to circumstances which is beyond the control of the applicant, since he belongs to a poor family, 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 a Legal Aid Counsel. It is therefore prayed that the delay be condoned and the appeal be admitted.

3. Mr. A.H. Kharwanlang, learned Addl. PP 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 882 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