Serial No. 04
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 121 of 2026

Date of Decision: 06.07.2026

Shri. Jumping Thongni,
S/o Shri. Kwendro Langte
R/o Nongkyrbah Village,
South West Khasi Hills,
Meghalaya. …….. **Applicant**

-Vs-

State of Meghalaya through
Superintendent of Police.
South West Khasi Hills District,
Meghalaya.

…… **Respondent**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. S. Nongsiej, Legal Aid Counsel.

For the Respondent(s) : Mr. S. Sengupta, Addl. PP

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 Ms. S. Nongsiej, learned Legal Aid Counsel for the applicant,

who has submitted that the applicant has preferred an appeal before this Court against the impugned judgment and related order of sentence dated 01.04.2026 passed by the Court of the learned Special Judge (POCSO), South West Khasi Hills District, Mawkyrwat in Special (POCSO) Case No. 8 of 2022, whereby, he was convicted and sentenced to undergo rigorous imprisonment of 20(twenty) years with fine of ₹ 50,000/- (Rupees fifty thousand) only, and in default thereof, to undergo simple imprisonment of 2(two) months.

2. However, while preferring an appeal, a delay of 31 days has occurred, due to circumstances which is beyond the control of the appellant/convict, since he belongs to the below poverty line and is a daily wager, 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. Mr. S. Sengupta, 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, we are persuaded to allow this application on being satisfied that the grounds cited for the delay contain sufficient cause. Accordingly, the delay of 31 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

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