Serial No. 04
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 128 of 2026

Date of Decision: 13.07.2026

Shri. Hamlesstar Shylla,
S/o Shri. Kromding Shangdiar,
R/o Photjaud War Village,
South West Khasi Hills District,
Meghalaya.

…….. **Applicant**

-Vs-

The State of Meghalaya through the
Public Prosecutor, The High Court of
Meghalaya at Shillong.

…… **Opposite Party**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. E. Laloo, Legal Aid Counsel.

For the Respondent(s) : Mr. N.D. Chullai, AAG with
Mr. E.R. Chyne, GA.

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 Mr. E. Laloo, 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 28.02.2024 passed by the Court of the learned Special Judge (POCSO), South West Khasi Hills District, Mawkyrwat in Special (POCSO) Case No. 14 of 2018 (Old)/ Special (POCSO) Case No. 8 of 2021 (New), whereby, he was convicted and sentenced to undergo rigorous imprisonment for a period of 10(ten) years with fine of ₹ 10,000/- (Rupees ten thousand) only, and in default thereof, to undergo simple imprisonment of 1(one) week for an offence punishable under Section 5(l)(m)(n)/6 POCSO Act.

2. However, while preferring an appeal, a delay of 800 days has occurred, due to circumstances which is beyond the control of the applicant, being a daily wage labourer and economically backward and illiterate, has no means to engage a private counsel, as such, he could not prefer an appeal within the statutory period. Thus, 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. N.D. Chullai, learned AAG assisted by Mr. E.R. Chyne, 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 800 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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