Serial No. 04
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 144 of 2026

Date of Decision: 29.07.2026

Shri. Skendarius Wahlang,
Son of Late Khro Sangriang
Resident of Domsohpian,
South West Khasi Hills District,
Mawkyrwat.

…….. **Applicant/Accused**

-Vs-

The State of Meghalaya represented by the
Public Prosecutor,
East Khasi Hills District, Shillong,
Meghalaya.

…… **Respondent**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. D. Warjri, LAC.

For the Respondent(s) : Mr. R. Gurung, 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 Ms. D. Warjri, learned Legal Aid Counsel for the applicant, who has submitted that the applicant/convict has preferred an appeal before this Court against the impugned judgment dated 28.05.2025 and related order of sentence dated 06.06.2025 passed by the Court of the learned Special Judge (POCSO), South West Khasi Hills District, Mawkyrwat in Special (POCSO) Case No. 23 of 2021, whereby, he was convicted and sentenced to undergo rigorous imprisonment for a period of 20(twenty) years with fine of ₹ 20,000/- (Rupees twenty thousand) only, and in default thereof, to undergo further simple imprisonment of 1(one) month for an offence punishable under Section 5(m)/6 of the POCSO Act.

2. However, while preferring an appeal, a delay of 381 days has occurred, due to circumstances which is beyond the control of the applicant/convict, since he belongs from a poor financial background with no means to file an 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. R. Gurung, 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 381 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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