Serial No. 05
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 146 of 2026

Date of Decision: 29.07.2026

1. Shri. Somison Sangma,
Aged about 26 years,
S/o Shri. Sten Marak,
R/o Nongkriah Village, P.O. Dangar,
P.S. Mawsynram,
East Khasi Hills District, Meghalaya.

2. Shri. Jenel D. Sangma,
Aged about 24 years,
S/o Shri. Krosdingwel Marngar,
R/o Nongkriah Village, P.O. Dangar,
P.S. Mawsynram,
East Khasi Hills District, Meghalaya.

3. Shri. Gopal Bormon,
Aged about 28 years,
S/o Shri. Dines Bormon,
R/o Nongkriah Village, P.O. Dangar,
P.S. Mawsynram,
East Khasi Hills District, Meghalaya.

(All three Applicants are presently lodged in the District Prison & Correctional Home, Shillong, having been in continuous custody since their arrest on 19.01.2024)

…….. **Applicants**

-Vs-

State of Meghalaya through
Public Prosecutor.

…… **Opposite Party/ Respondent**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. S.D. Upadhaya, LAC.
Ms. A. Synrem, Adv.

For the Respondent(s) : Mr. Atiar S. Dey, GA.

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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. S.D. Upadhaya, learned Legal Aid Counsel for the applicants, who has submitted that the applicants has preferred an appeal before this Court against the impugned judgment dated 06.11.2025 and related order of sentence dated 11.11.2025 passed by the Court of the learned Special Judge (NDPS), South West Khasi Hills District, Mawkyrwat in Special (NDPS) Case No. 3 of 2024, whereby, they were convicted and sentenced to undergo rigorous imprisonment for a period of 10(ten) years with fine of ₹ 1,00,000/- (Rupees one lakh) only, and in default thereof, to undergo further simple imprisonment of 1(one) month for an offence punishable under Section 22(c)/29 NDPS Act.

2. However, while preferring an appeal, a delay of 190 days has occurred, due to circumstances which is beyond the control of the applicants,

who are economically backward and working as casual labourers, has no means to file an appeal or to engage a private counsel. As such, they 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. Atiar S. Dey, 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 190 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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