Serial No. 06
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 147 of 2026

Date of Decision: 29.07.2026

Shri. Request Shylla @ Rikwas
Son of Shri. Osli Ksoo
Aged about 34 years
(Convict presently serving sentence in
Correctional Home & Prisons, Jowai).
Resident of Kyndongtuber Village,
District West Jaintia Hills, Meghalaya.

…….. **Appellant**

-Vs-

State of Meghalaya through
The Commissioner & Secretary to the
Government of Meghalaya,
Department of Home (Police),
Civil Secretariat, Shillong.

…… **Respondent**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. P. Chettri, 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. P. Chettri, learned Legal Aid Counsel for the applicant, who has submitted that the applicant has preferred an appeal before this Court against the impugned judgment dated 05.05.2022 and related order of sentence dated 06.05.2022 passed by the Court of the learned Special Judge (POCSO), West Jaintia Hills District, Jowai in Special (POCSO) Case No. 6 of 2022, whereby, he was convicted and sentenced to undergo rigorous imprisonment for a period of 25(twenty-five) years with fine of ₹ 50,000/- (Rupees fifty thousand) only, and in default thereof, to undergo imprisonment for another 1(one) year for an offence punishable under Section 5(n)/6 of the POCSO Act.

2. However, while preferring an appeal, a delay of 382 days has occurred, due to circumstances which is beyond the control of the applicant, since he is an illiterate person, hailing from a poor family, has 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 382 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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