Serial No. 07
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 150 of 2026

Date of Decision: 29.07.2026

Shri. Wislyborn Pala
Aged 47 years
S/O (L) Enty Suchiang
R/o Barato Village, Jowai,
West Jaintia Hills District, Meghalaya.

…….. **Appellant/Accused Person**

-Vs-

1. State of Meghalaya represented by the Public Prosecutor, Govt. of Meghalaya.

2. Smti. Eragina Timung
The Complainant/Daughter of
Deceased Sessions Case No. 44 of 2013,
Arising out of Jowai P.S. Case No. 111 (8) 2009
Through the Investigating Officer of the case,
C/o Officer-in-Charge, Jowai,
Police Station,
West Jaintia Hills District,
Meghalaya.

…… **Respondents**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. P. Agarwal, LAC.

For the Respondent(s) : 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 Ms. P. Agarwal, 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 25.08.2025 passed by the Court of the learned Sessions Judge, West Jaintia Hills District, Jowai in Sessions Case No. 44 of 2013, whereby, he was convicted and sentenced to undergo life imprisonment with fine of ₹ 5000/- (Rupees five thousand) only, and in default thereof, to undergo simple imprisonment of 3(three) months for an offence punishable under Section 302 IPC.

2. However, while preferring an appeal, a delay of 271 days has occurred, due to circumstances which is beyond the control of the applicant, being an illiterate person and belonging to a poor financial background, 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. 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 271 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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