Serial No. 02
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 156 of 2026

Date of Decision: 29.07.2026

Shri. Starling Syiemlieh, Aged about 39 years,
Son of Shri (L) Kristo Marbaniang
(Convict presently serving sentence in
Correctional Home & Prisons, Shillong).
Resident of Langpih Village,
P.S. Nongstoin,
District West Khasi 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/convict has preferred an appeal before this Court against the impugned judgment dated 28.01.2026 and related order of sentence dated 30.01.2026 passed by the Court of the learned Special Judge (POCSO), West Khasi Hills District, Nongstoin in Special (POCSO) Case No. 39 of 2023, whereby, he was convicted and sentenced to undergo rigorous imprisonment for a period of 20(twenty) years with fine of ₹ 50,000/- (Rupees fifty thousand) only, and in default thereof, to undergo further simple imprisonment of 6(six) months for an offence punishable under Section 5(m)(n)/6 of the POCSO Act.

2. However, while preferring an appeal, a delay of 117 days has occurred, due to circumstances which is beyond the control of the applicant/convict, being an illiterate person and hailing from a poor family, is not aware of his legal rights to file 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 117 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

Signature Not Verified
Digitally signed by
DARIKORDOR NARY
Date: 2026.07.29 20:18:01 IST