Serial No. 06
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 175 of 2026

Date of Decision: 12.08.2026

Shri. Bonrojes Marwein,
S/o Shri. Bolding Khardewsaw
(Convict presently serving sentence in
Correctional Home & Prisons, Shillong)
R/o Nonglang Village, West Khasi Hills
District, Meghalaya.

…….. **Applicant**

-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. N.M. Kharshemlang, LAC.

For the Respondent(s) : Mr. H. Abraham, 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. N.M. Kharshemlang, 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 30.03.2021 passed by the Court of the learned Sessions Judge, West Khasi Hills District, Nongstoin in Sessions Case No. 66 of 2015, whereby, he was convicted and sentenced to undergo imprisonment for a period of 10(ten) years with fine of ₹ 10,000/- (Rupees ten thousand) only, and in default thereof, to undergo further simple imprisonment of 2(two) months for an offence punishable under Section 376(f) IPC.

2. However, while preferring an appeal, a delay of 1894 days has occurred, due to circumstances which is beyond the control of the applicant, lacking financial capacity, 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. H. Abraham, 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 1894 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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