Serial No. 04
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 199 of 2026

Date of Decision: 07.09.2026

Shri. Jameson Kharbyngar, 33 years
Son of Shri. Khrawbok Nongkhlaw
Resident of Smit Nongkrem Village
District East Khasi Hills
Meghalaya.

…….. **Petitioner**

-Vs-

State of Meghalaya represented by its Secretary
Home (Police) Department
Meghalaya.

…… **Opposite Party**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s)	:	Mr. M.F. Qureshi, LAC. Mr. L. Koch, Adv.
For the Respondent(s)	:	Mrs. N.G. Shylla, PP with Ms. I. Lyngwa, Addl. PP.

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. M.F. Qureshi, 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 17.03.2026 and related order of sentence dated 18.03.2026 passed by the Court of the learned Special Judge (POCSO), East Khasi Hills District, Shillong in Special POCSO Case No. 6 of 2016, whereby, he was convicted and sentenced to undergo rigorous imprisonment for a period of 25(twenty-five) years with fine of ₹ 30,000/- (Rupees thirty thousand) only, and in default thereof, to undergo further imprisonment of 4(four) months for an offence punishable under Section 6 of the POCSO Act.

2. However, while preferring an appeal, a delay of 103 days has occurred, due to circumstances which is beyond the control of the applicant/convict, wherein, his family members did not come forward to assist him to file an appeal, and also, they were not having sufficient means 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. Mrs. N.G. Shylla, learned PP assisted by Ms. I. Lyngwa, learned Addl. PP 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 103 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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