Serial No. 02
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 203 of 2026

Date of Decision: 09.09.2026

Shri. Stephan Nongspung,
Age 45 years
Son of Shri. Philip Langrin,
Resident of Nongtraw Village,
P.S. Nongstoin,
District, West Khasi Hills, Meghalaya.

Presently lodged in District Prisons &
Correctional Home, East Khasi Hills,
Shillong.

…….. **Applicant**

-Vs-

State of Meghalaya through Public Prosecutor.

…… **Respondent**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. S.D. Upadhaya, LAC.
Ms. A. Synrem, Adv.
Mr. H. Yadav, Adv.

For the Respondent(s) : Ms. O.A.I. Bang, GA.
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 Mr. S.D. Upadhaya, 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 23.08.2018 passed by the Court of the learned Special Judge (POCSO), West Khasi Hills District, Nongstoin in Special (POCSO) Case No. 3 of 2014, 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 an additional 6(six) months imprisonment for an offence punishable under Section 4 of the POCSO Act.

2. However, while preferring an appeal, a delay of 2873 days has occurred, on the ground that the applicant is a labourer and economically backward with 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. Ms. O.A.I. Bang, 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 2873 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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