Serial No. 06
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 250 of 2026

Date of Decision: 26.10.2026
Uploaded on: 26.10.2026

Shri. Darling Nonglang
Son of (L) Shon Nongbri
Aged about 57 years
Resident of Umiong Rambrai,
Nongstoin,
West Khasi Hills District,
Meghalaya.

……. **Applicant(s)**

-Vs-

1. State of Meghalaya represented by
The State Home Department,
Shillong.
East Khasi Hills District,
Meghalaya.

2. Superintendent of Police,
West Khasi Hills District,
Meghalaya.

3. Officer-in-Charge,
Nongstoin Police Station,
West Khasi Hills District,
Meghalaya.

…… **Opposite Party(s)**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. B. Sun, Adv.

For the Respondent(s) : Mr. H. Kharmih, Addl. PP.
Ms. P. Chettri, 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 (ORAL):

1. Heard Ms. B. Sun, learned 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 11.12.2025 passed by the Court of the learned Special Judge, West Khasi Hills District, Nongstoin in Special (POCSO) Case No. 43 of 2024, 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 the offence punishable under Section 6 of the POCSO Act. For the offence punishable under Section 351(2) BNS, the applicant is also sentenced to undergo simple imprisonment for a period of 1(one) year with fine of ₹ 10,000/- (Rupees ten thousand) only, and in default of payment of fine, to undergo further simple imprisonment of 4(four) months.

2. However, while preferring an appeal, a delay of 245 days has occurred in the meantime, the reason being that the applicant comes from a poor background with lack of knowledge and financial inability, is not aware of his legal rights to file an appeal or to engage a counsel. As such, due to circumstances which is beyond the control of the applicant, he could not prefer an appeal within the prescribed period of limitation. It is therefore prayed that the delay be condoned and the appeal be admitted.

3. Mr. H. Kharmih, 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 245 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

Verified
Digitally signed by: DARIKORDOR NARY
Signed On: 26-10-2026 17:45:51 IST