Serial No. 03
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 256 of 2026

Date of Decision: 30.10.2026
Uploaded on: 30.10.2026

Shri. Arningstar Marthong,
S/o Shri. Srimlan Lyngkhoi,
R/o Mawrok Village, Nongstoin,
West Khasi Hills District, Meghalaya.

…….. **Applicant(s)**

- Vs-

The State of Meghalaya, represented by
The Commissioner & Secretary, (Home) Police
Department.

..…… **Respondent(s)**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Deb, LAC.

For the Respondent(s) : Mr. O.A.I. Bang, GA.

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

JUDGMENT (ORAL):

1. Heard Mr. S. Deb, 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 27.06.2024 and related order of sentence dated 28.06.2024 passed by the Court of the learned Special Judge (POCSO), West Khasi Hills District, Nongstoin in Special (POCSO) Case No. 11 of 2020, whereby, he was convicted and sentenced to undergo simple imprisonment for a period of 5(five) years with fine of ₹ 10,000/- (Rupees ten thousand) only, and in default thereof, to undergo further simple imprisonment of 6(six) months for an offence punishable under Section 9(m)(n)/10 of the POCSO Act.

2. However, while preferring an appeal, a delay of 780 days has occurred, since the applicant comes from a poor background, being uneducated and hailing from a remote village with no support from his family members, is not aware of his legal rights to file an appeal or to engage a private 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 was only when a legal aid was accorded to him that the related appeal has been filed. This being the case, the learned Legal Aid Counsel prays that this Court may be pleased to condone the delay in filing the related appeal.

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, this Court is inclined to allow this application on being satisfied that the grounds cited for the delay

contain sufficient cause. Accordingly, the delay of 780 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.

Judge

Verified
Digitally signed by: DARIKORDOR NARY
Signed On: 30-10-2026 16:12:01 IST