Serial No. 14
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 257 of 2026

Date of Decision: 26.10.2026
Uploaded on: 26.10.2026

Shri. Bani Sana,
S/o (L) Promise Sana,
R/o Tuber Kamaishnong, Khliehriat,
East Jaintia 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

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

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

For the Respondent(s) : Mr. H. Kharmih, Addl. PP.
Ms. P. Chettri, GA.
Ms. S. Shyam, Assistant 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 (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 and related order of sentence dated 07.10.2024 passed by the Court of the learned Sessions Judge, East Jaintia Hills District, Khliehriat in Sessions Case No. 93 of 2021, whereby, he was convicted and sentenced to undergo imprisonment for life with fine of ₹ 50,000/- (Rupees fifty thousand) only for an offence punishable under Section 302 IPC and imprisonment for a period of 3(three) years with fine of ₹ 10,000/- (Rupees ten thousand) only for an offence punishable under Section 201 IPC.

2. However, while preferring an appeal, a delay of 678 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 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. 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 678 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 17:51:53 IST