Serial No. 11
Regular List

MLHC010018082026

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 263 of 2026

Date of Decision: 04-11-2026
Uploaded on: 04-11-2026

Shri. Wireless Nongkhlaw
S/o Shri. H. Sohlang
(Convict presently serving sentence in
District and Correctional Home & Prisons,
Shillong)
Resident of Laitpynter Village,
East Khasi Hills District, Meghalaya.

…… **Applicant/Appellant(s)**

-Vs-

State of Meghalaya through the
Commissioner & Secretary to the Government of Meghalaya,
Department of Home (Police),
Civil Secretariat, Shillong.

…… **Respondent(s)**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. P. Ghosh, Adv. vice
Ms. N.M. Kharshemlang, LAC.

For the Respondent(s) : Mr. N.D. Chullai, AAG with
Mr. E.R. Chyne, 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. P. Ghosh, learned counsel appearing on behalf of Ms. N.M. Kharshemlang, 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 15.07.2025 and related order of sentence dated 16.07.2025 passed by the Court of the learned Special Judge (POCSO), East Khasi Hills District, Shillong in Special POCSO Case No. 16 of 2018, whereby, he was convicted and sentenced to undergo rigorous imprisonment for a period of 20(twenty) years with fine of ₹ 20,000/- (Rupees twenty thousand) only, and in default thereof, to undergo an additional 6(six) months imprisonment for an offence punishable under Section 6 of the POCSO Act.

2. However, while preferring an appeal, a delay of 408 days has occurred, due to financial inability of the applicant 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 counsel prays that this Court may be pleased to condone the delay in filing the related appeal.

3. Mr. N.D. Chullai, learned AAG assisted by Mr. E.R. Chyne, learned

Assistant 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 408 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

Meghalaya
04-11-2026
"D. Nary, PS"

Verified
Digitally signed by: DARIKORDOR NARY
Signed On: 04-11-2026 17:30:46 IST