Serial No. 14
Regular List

MLHC010018352026

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 271 of 2026

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

Shri. Braianly Sun, alias
Shri. Braianling Sun,
S/o (L) Kobin Nongbri,
Age 51 years,
Permanent resident of Mawkyrdang Village,
And resided during the alleged incident at
Sohdadek Village,
Eastern West Khasi Hills District,
Meghalaya.

…….. **Applicant (s)**

-Vs-

The State of Meghalaya through the
Public Prosecutor,
The High Court of Meghalaya,
At Shillong.

…… **Opposite Party(s)**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. E. Laloo, LAC.

For the Respondent(s) : Mr. A.H. Kharwanlang, Addl. 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. E. Laloo, 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 28.10.2025 and related order of sentence dated 11.11.2025 passed by the Court of the learned District & Sessions Judge, West Khasi Hills District, Nongstoin in Sessions Case No. 17 of 2021, whereby, he was convicted and sentenced to undergo rigorous imprisonment for a period of 10(ten) years with fine of ₹ 3000/- (Rupees three thousand) only, and in default thereof, to undergo further simple imprisonment of 4(four) months for an offence punishable under Section 376(2)(j)(l) IPC.

2. However, while preferring an appeal, a delay of 291 days has occurred, due to circumstances which is beyond the control of the applicant, being a daily wage labourer and economically backward and illiterate, has no means to engage a private counsel, as such, he could not prefer an appeal within the statutory period. Thus, 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. Mr. A.H. Kharwanlang, 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 291 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 17:31:35 IST