Serial No. 06
Regular List

MLHC010019182026

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 282 of 2026

Date of Decision: 16-11-2026
Uploaded on: 16-11-2026

Shri. Passti Latam,
S/o Shri. M. Lamurong,
R/o Myntriang Village,
West Jaintia Hills District,
Meghalaya.

…… **Applicant(s)**

-Vs-

State of Meghalaya
Represented by the Commissioner &
Secretary, Home (Police) Department,
Meghalaya, 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. S. Deb, LAC.

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 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 06.08.2025 and related order of sentence dated 07.08.2025 passed by the Court of the learned Special Judge, (POCSO), West Jaintia Hills District, Jowai, in Special POCSO Case No. 16 of 2021, whereby, he was convicted and sentenced to undergo rigorous imprisonment for a period of 22(twenty-two) years with fine of ₹ 50,000/- (Rupees fifty thousand) only, and in default thereof, to undergo further simple imprisonment of 6(six) months for an offence punishable under Section 5(g)/6 of the POCSO Act. For the offence punishable under Section 448 IPC, the applicant is also convicted to undergo simple imprisonment for a period of 1(one) year with fine of ₹ 1000/- (Rupees one thousand) only, and in default of payment of fine, to undergo another 1(one) month simple imprisonment.

2. However, while preferring an appeal, a delay of 396 days has occurred on the ground that the applicant comes from a poor financial background, being uneducated and not having any proper source of income, 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 396 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
16-11-2026
"D. Nary, PS"

Verified
Digitally signed by: DARIKORDOR NARY
Signed On: 16-11-2026 18:39:27 IST