Serial No. 10
Regular List

MLHC010019872026

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 292 of 2026

Date of Decision: 25-11-2026
Uploaded on: 25-11-2026

Md. Indadur Rahman @ Bappu Miah,
S/o Md. Suhidur Rahman,
Resident of Thakunbari Village,
P.S. Tura, West Garo Hills, Meghalaya.
(Presently serving sentence in District Prison & Correction Home, South West Garo Hills, Tura).

…….. **Applicant(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) : 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 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 03.06.2014 passed by the Court of the learned Adhoc Judge, Fast Track Court, West Garo Hills, Tura and the order of sentence dated 20.04.2017 passed by the Court of the learned Sessions Judge, South West Garo Hills, Ampati, in Sessions Case No. 18 of 2010, whereby, he was convicted and sentenced to undergo imprisonment for life with fine of ₹ 10,000/- (Rupees ten thousand) only, and in default thereof, to undergo an additional 6(six) months imprisonment for the offence punishable under Section 302 IPC.

2. However, while preferring an appeal, a delay of 3439 days has occurred, on the ground that the applicant is lacking financial capacity and has no means 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. 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 3439 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: 25-11-2026 18:45:20 IST