Serial No. 11
Regular List

MLHC010019942026

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 294 of 2026

Date of Decision: 26-11-2026
Uploaded on: 26-11-2026

Shri. Bandisingh Kurbah,
S/o Shri. Spiling Marbaniang
Age: 38 years
(Convict presently serving sentence in
Correctional Home & Prisons, Shillong).
R/o Mawthaprap Village,
West Khasi Hills, Nongstoin.

…… **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

Appearance:

For the Petitioner/Appellant(s) : Ms. P. Chettri, LAC.

For the Respondent(s) : Mr. S. Sengupta, Addl. PP.

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

JUDGMENT (ORAL):

1. Heard Ms. P. Chettri, learned Legal Aid Counsel for the applicant, who has submitted that the applicant has filed an appeal before this Court, being aggrieved and dissatisfied by the impugned judgment dated 20.03.2024 and related order of sentence dated 26.04.2024 passed by the Court of the learned Sessions Judge, West Khasi Hills District, Nongstoin in Sessions Case No. 60 of 2015, whereby, he was convicted and directed to undergo rigorous imprisonment for a period of 7(seven) years with fine of ₹ 2000/- (Rupees two thousand) only, and in default thereof, to undergo simple imprisonment of 1(one) month for an offence punishable under Section 368 IPC.

2. However, while preferring an appeal, a delay of 914 days has occurred, on the ground that the applicant is an illiterate person and hailing from a poor family, is not aware of his legal rights 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. S. Sengupta, 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, this Court is inclined to

allow this application on being satisfied that the grounds cited for the delay contain sufficient cause. Accordingly, the delay of 914 days in preferring the appeal is hereby condoned.

5. Registry is directed to diarize the appeal and list it for admission after 3(three) weeks.

6. Misc. Case disposed of.

Judge

Verified
Digitally signed by: DARIKORDOR NARY
Signed On: 26-11-2026 19:34:30 IST