GAHC040009672026

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : IA(Crl)/56/2026

Tame Tallang
Son of Late Chupung Tallang, resident of Village Talang, PO and PS Seppa, East Kameng District, Arunachal Pradesh.

VERSUS

The State of AP and Anr
represented by the PP of AP 2:Kabak Tamin
Age: 0
Occupation :
Son of Late Kabak Bath
resident of Village Sanglo Putung
Gohpur
PO RK Mission
PS Itanagar
Papum Pare District
Arunachal Pradesh

Advocate for the Petitioner : Teto Taba,

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 10.11.2026
(Y. Longkumer, J.)

Heard Mr. T. Taba, learned counsel for the applicant. Also heard Ms T. Jini, learned Additional Public Prosecutor for the State and Mr. K. Takar, learned counsel appearing on behalf of Mr. L. Perme, learned counsel for the respondent No.2.

2. By filing the instant application under Section 5 of the Indian Limitation Act, 1963, the applicant prays for condonation of delay of 591 days in preferring the appeal against the impugned judgment dated 05.09.2024 and the order of sentence dated 11.09.2024, passed by the learned Special Judge (POCSO), Papum Pare, Arunachal Pradesh in POCSO Case No.44/2018 convicting the appellant under Section 6 of the POCSO Act and sentencing him to undergo RI for life and to pay a fine of Rs.30,000/-(Rupees Thirty Thousand only) in default of payment of fine to undergo further SI for 2(two) years.

3. The learned counsel for the applicant submits that the grounds for delay have been set out in Paragraphs-5 and 6 of the application. We have observed that the appellant/applicant belongs to a very poor family and hails from a remote district of East Kameng. The applicant due to his poor financial condition could not engage an advocate for preferring an appeal in the High Court immediately after passing of the impugned judgment. It is also stated in the application that the applicant had requested the Jailor of the District Jail Jully for helping him in preferring the appeal through legal aid but no steps were taken in this regard. Finally, the relatives of the applicant met the present counsel on 25.05.2026 and handed over the

documents for preferring an appeal in the case. After receipt of the documents, the present counsel also took some time to prepare the memorandum of appeal and the connected petitions. Finally, the appeal was filed on 25.06.2026, thereby, causing a delay of 591 days in its filing.

4. Ms T. Jini, learned Additional Public Prosecutor as well as Mr. K. Takar, learned counsel appearing on behalf of the respondent No.2 have submitted that they have no objection regarding the delay and would like to hear the main appeal on merits.

5. We have duly examined the reasons for the delay set out in the pleadings and we have observed that sufficient grounds have been set out to explain the delay. In view of the same, the instant application is allowed. The delay of 591 days in preferring the appeal is condoned.

6. Accordingly, the interlocutory application stands allowed and disposed of.

7. Registry to list the main appeal for admission on **19.11.2026**.

8. A copy of appeal memo be furnished to the learned counsel for the respondent No.2 during the course of the day.

JUDGE **JUDGE**

Comparing Assistant

CHECKED & VERIFIED

Digitally signed by TAGE BUNYI
Date: 2026.11.10 14:35:53 +05'30'