Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 95 of 2026

Date of Decision: 08.06.2026

Shri. Daljitsing A. Sangma,
Son of (L) Ringgan R. Marak
R/o Nengkong Chibegere,
Baghmara, South Garo Hills District,
Meghalaya, (Presently lodged at Tura
Correction Center).

…….. **Applicant**

-Vs-

The State of Meghalaya through
The Commissioner & Secretary,
Home (Police) Department.

…… **Respondent**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. S. Deb, Adv. with
Ms. N. Lamare, Adv.

For the Respondent(s) : Mr. R. Gurung, 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 AND ORDER (ORAL)

1. Heard Mr. S. Deb, learned counsel for the applicant, who has submitted that the applicant has preferred an appeal before this Court against the impugned judgment dated 10.07.2025 and related order of sentence dated 31.07.2025 passed by the Court of the learned Special Judge (POCSO), South Garo Hills District, Baghmara in Special (POCSO) Case No. 10 of 2020, whereby, he was convicted for an offence punishable under Section 375(a) under 375 (sixthly)/376(2)(f)(n)/376(3) IPC and Section 3(a)/5(l)(n)/6 POCSO Act, whereby sentencing him to undergo 20(twenty) years rigorous imprisonment with fine of ₹ 50,000/- (Rupees fifty thousand) only under Section 376(2) IPC, 25(twenty-five) years rigorous imprisonment with fine of ₹ 50,000/- (Rupees fifty thousand) only, and in default of payment of fine, to undergo further simple imprisonment of 3(three) months under Section 376(3) IPC.

2. However, while preferring an appeal, a delay of 245 days (as on 1st June, 2026) has occurred, due to circumstances which is beyond the control of the applicant, since he is in jail since July, 2025, and hailing from a poor family, he was not in a position to engage a counsel of his choice. Further, the delay was also due to the fact that the applicant's mother was bed-ridden and the applicant's elder brother was out of station, as such, he could not prefer an appeal within the

prescribed period of limitation. It is therefore prayed that the delay be condoned and the appeal be admitted.

3. Mr. R. Gurung, learned GA 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 245 days (as on 1st June, 2026) 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

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