Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 102 of 2026

Date of Decision: 15.06.2026

Shri. Jogitar Japang,
Son of (L) Anil Kumar Basumatry,
Resident of Umpling Dongsharum,
Shillong.
East Khasi Hills District,
Meghalaya.

…….. **Applicant**

-Vs-

1. The State of Meghalaya represented by
The Public Prosecutor/Special Public
Prosecutor.

2. The Officer-in-Charge,
Rynjah Police Station,
Shillong, East Khasi Hills District,
Meghalaya.

…… **Respondents**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. I.M. Lyngdoh, Legal Aid Counsel.

For the Respondent(s) : Ms. O.A.I. Bang, 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 Ms. I.M. Lyngdoh, 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 16.01.2026 and related order of sentence dated 20.01.2026 passed by the Court of the learned Special Judge (POCSO), East Khasi Hills District, Shillong in Special (POCSO) Case No. 38 of 2020, whereby, he was convicted and sentenced to undergo rigorous imprisonment for a period of 10(ten) years with fine of ₹ 30,000/- (Rupees thirty thousand) only for an offence punishable under Section 6 of the POCSO Act, and in default thereof, to undergo further imprisonment of 4(four) months. The convict is also sentenced to 7(seven) years imprisonment with fine of ₹ 20,000/- (Rupees twenty thousand) only for an offence punishable under Section 10 of the POCSO Act, and in default of payment of fine, to undergo further imprisonment of 3(three) months.

2. However, while preferring an appeal, a delay of 84 days has occurred, due to circumstances which is beyond the control of the applicant, since he is in jail since January, 2026 and was not in a position to engage a private counsel. As such, he could not prefer an appeal within the prescribed

period of limitation. Thereafter, legal aid was sought for, and accordingly, this application was processed through Legal Aid Counsel. It is therefore prayed that the delay be condoned and the appeal be admitted.

3. Ms. O.A.I. Bang, 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 84 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

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