Serial No. 06
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 132 of 2026

Date of Decision: 13.07.2026

Shri. Tailang L. Mawnai
Aged about 35 years,
S/o Shri. Krostarwell Mawnai,
R/o Mawtharap Village,
PS: Mairang, West Khasi Hills District,
Meghalaya.
Presently serving sentence in District
Prisons & Correctional Home, Shillong

…….. **Applicant/Convict**

-Vs-

The State of Meghalaya represented by the
Chief Secretary & Commissioner,
Department of Prisons and Correctional Services,
Government of Meghalaya, Ministry of Law and
Home Affairs.

…… **Respondent**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. S.P. Mahanta, LAC with
Mr. N. Doungel, Adv.

For the Respondent(s) : Mr. R. Gurung, GA.
Mr. S.A. Sheikh, 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.P. Mahanta, learned Sr. counsel/learned Legal Aid Counsel for the applicant/convict, who has submitted that the applicant/convict has preferred an appeal before this Court against the impugned judgment dated 27.01.2026 and related order of sentence dated 24.02.2026 passed by the Court of the learned Sessions Judge, West Khasi Hills District, Nongstoin in Sessions Case No. 3 of 2022, whereby, he was convicted and sentenced to undergo rigorous imprisonment for a period of 10(ten) years with fine of ₹ 3000/- (Rupees three thousand) only, and in default thereof, to undergo simple imprisonment of 4(four) months for an offence punishable under Section 376(2)(f)(k)(l)(m) IPC.

2. However, while preferring an appeal, a delay of 74 days has occurred, due to circumstances which is beyond the control of the applicant/convict, being economically backward and illiterate, is not aware of his legal rights to file appeal or to engage a private counsel, as such, he could not prefer an appeal within the statutory period. 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. 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 74 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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