Serial No. 01
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 143 of 2026

Date of Decision: 21.07.2026

Shri. Santius Lyngkhoi
S/o (L) Shri. Wen Khardewsaw
Age 32 yrs
R/o Mawdoh Village,
Nongstoin West Khasi Hills District,
Meghalaya.

…….. **Applicant**

- Vs -

State of Meghalaya through Superintendent of
Police, West Khasi Hills District,
Nongstoin, Meghalaya.

…… **Respondent**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Ms. S. Nongsiej, Legal Aid Counsel.

For the Respondent(s) : Mr. Atiar S. Dey, GA.

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

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

JUDGMENT AND ORDER (ORAL)

1. Heard Ms. S. Nongsiej, 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 and related order of sentence dated 21.10.2022 passed by the Court of the learned Special Judge (POCSO), West Khasi Hills District, Nongstoin in Special (POCSO) Case No. 15 of 2018, whereby, he was convicted and directed to undergo rigorous imprisonment for a period of 8(eight) years with fine of ₹ 30,000/- (Rupees thirty thousand) only for an offence punishable under Section 4 of the POCSO Act, and in default thereof, to undergo further simple imprisonment of 3(three) months, for the offence under Section 506 Part II IPC, the convict is also sentenced to suffer 1(one) year rigorous imprisonment, for the offence under Section 342, he is sentenced to undergo 3(three) months simple imprisonment and for the offence under Section 341, the convict is sentenced to undergo 1(one) month simple imprisonment.

2. However, while preferring an appeal, a delay of 1304 days has occurred, due to circumstances which is beyond the control of the applicant, since he is an uneducated person, also his family members could not afford 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 a Legal Aid Counsel. It is therefore prayed that the delay be condoned and the appeal be admitted.

3. Mr. Atiar S. Dey, learned GA appearing for the State respondent has

objected to the prayer made because of the inordinate delay, however, considering the fact that the grounds cited for the delay contain sufficient cause, this Court is not inclined to allow the objection. Accordingly, the delay of 1304 days in preferring the appeal is hereby condoned.

4. Registry is directed to diarize the appeal and list it for admission after 1(one) week.

5. Misc. Case disposed of.

Judge

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