



Serial No. 04
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

CrI.M.C. No. 47 of 2026

Date of Decision: 08.04.2026

Shri. Indri Dkhar
S/o L.D. Phawa
Longkaluh Village, Khliehriat,
East Jaintia Hills District,
Meghalaya.

..... **Appellant/Accused Person**

-Vs-

1. The State of Meghalaya represented by
Public Prosecutor.
2. YYY
D/o Namdong Village,
East Jaintia Hills District, Meghalaya.

..... **Opposite Parties.**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. A. Surana, Legal Aid Counsel.

For the Respondent(s) : Mrs. N.G. Shylla, Sr. GA with
Ms. S. Kh. Nongrum, GA.

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|--|--------|
| i) Whether approved for reporting in
Law journals etc.: | Yes/No |
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ii) Whether approved for publication
in press: Yes/No

Per W. Diengdoh, (J):

JUDGMENT AND ORDER (ORAL)

1. Heard Ms. S. Surana, 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 and order dated 27.05.2025 passed by the Court of the learned Sessions Judge, East Jaintia Hills District, Khliehriat in Sessions Case No. 127 of 2022, wherein, he was convicted and sentenced to undergo rigorous imprisonment for a period of 10(ten) years with fine of ₹ 5000/- (Rupees five thousand) only under Section 376(2)(g) IPC, and in default thereof, to undergo further simple imprisonment of 15(fifteen) days.

2. However, while preferring an appeal, a delay of 244 days has occurred, due to circumstances which is beyond the control of the applicant/convict, being an illiterate person and the sole bread earner of his family, 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 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. Mrs. N.G. Shylla, learned Sr. GA assisted by Ms. S. Kh. Nongrum, 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 244 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