



**Serial No. 01**  
**Regular List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

CrI.M.C. No. 133 of 2024

Date of Order: 17.12.2024

Shri. Shainingstar Kharthangmaw (in Jail)  
S/o Shri. Dwir Mawlong  
R/o Sohmylleng  
P.S. Mairang, Eastern West Khasi Hills,  
Meghalaya.

::: Applicant

-Vs-

State of Meghalaya  
through  
Superintendent of Police,  
Eastern West Khasi Hills,  
Meghalaya.

::: Respondent

**Coram:**

**Hon'ble Mr. Justice W. Diengdoh, Judge**  
**Hon'ble Mr. Justice B. Bhattacharjee, Judge**

**Appearance:**

For the Petitioner/Applicant(s)	:	Ms. S. Nongsiej, Adv.
For the Respondent(s)	:	Mr. R. Gurung, GA. Mr. S. Sengupta, Addl. PP.

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



**ORAL:**

1. Ms. S. Nongsiej, learned counsel for the applicant has submitted that the applicant being aggrieved by the judgment dated 16.07.2024 passed by the learned Special Judge (POCSO), West Khasi Hills District, Nongstoin in Special (POCSO) Case No. 09 of 2023 and the following sentence dated 23.07.2024 has now approach this Court with an application against such judgment and sentence.

2. However, since the applicant is an illiterate person coming from a poor background, not having the means to engage a counsel at the relevant point of time, as such, a delay of 82 days has occurred in filing the appeal, for which prayer for condonation of the same is made.

3. Mr. R. Gurung, learned GA appears on behalf of the State respondent.

4. This Court on consideration of the prayer made, taking into account the merits to be decided as far as the appeal is concerned, is inclined to allow the prayer made for condonation of the delay. Accordingly, this application is allowed and the delay of 82 days in filing the appeal is condoned.



5. Misc. Case stands disposed of.
6. Appeal is admitted.
7. Registry is directed to diarize the appeal and list it after the vacation.
8. Let the Trial Court records be produced before this Court on the next date. The appellant is also directed to prepare the paper book within 4(four) weeks.

**(B. Bhattacharjee)**  
**Judge**

**(W. Diengdoh)**  
**Judge**